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Sixteenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

I. Introduction

1. The present report was prepared pursuant to Security Council resolution 1795 (2008), by which the Council extended the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) until 30 July 2008 and requested me to keep it regularly informed and to report, no later than 15 April 2008, on developments in Côte d'Ivoire, in particular on the preparation of the electoral process. The report covers major developments since my report of 2 January 2008 (S/2008/1), as well as the findings of a technical assessment mission that visited Côte d'Ivoire from 3 to 12 March 2008.

II. Security situation

2. The overall security situation in Côte d'Ivoire remained generally stable during the period under review. Although the security and political atmosphere throughout the country has continued to improve since the signing of the Ouagadougou Agreement in March 2007, the lack of progress on the disarmament of the Forces nouvelles and the dismantling of the militias in the west renders the prevailing stability fragile. Violent crimes, in particular armed robberies in the western part of the country, remain a major concern. During the month of February, more than 20 roadside armed robberies were reported along the Guiglo-Duékoué axis, while 10 armed attacks were reported in Bangolo. On 23 March 2008, a soldier from the defence and security forces of Côte d'Ivoire was killed in Duékoué by unidentified armed bandits. Subsequently, soldiers demonstrated in Duékoué, Guiglo and Bloléquin, shooting in the air and demanding the departure of the military governor whom they accused of failing to ensure the security of the military in the west. The situation returned to normal following a visit to the area by the Chief of Staff of the defence and security forces, Major-General Philippe Mangou.

3. On 27 December 2007, supporters of Sergeant Ibrahim Coulibaly, alias IB, who was formerly a member of the Forces nouvelles, were accused of attacking Forces nouvelles personnel in Bouaké. The attack resulted in several deaths, as well as in the arrest of a number of individuals. The Operation was rapidly deployed in Bouaké to help restore calm. The bodies of five persons believed to be supporters of Mr. Coulibaly, bearing gunshot wounds and torture marks, have been held at the

mortuary in Bouaké since late December, pending the outcome of criminal investigations. Eighteen individuals arrested in Bouaké in connection with the events were transferred to the civilian prison in Korhogo. In another incident, on 17 January, 11 individuals, including two French nationals, allegedly associated with Mr. Coulibaly, were arrested in Abidjan for plotting a coup. On 30 January, the prosecutor of the military court in Abidjan issued an international arrest warrant against Mr. Coulibaly, who is accused of conspiracy against the State.

4. On 31 March and 1 April, demonstrations in Abidjan and San Pedro against the rising cost of living turned violent. At least one person was reported to have been killed and 20 wounded during clashes between riot police and demonstrators, which also disrupted the mobile courts operations. The demonstrations stopped on 2 April, after the Government had announced emergency measures to curb taxes on food and basic services for a period of three months.

5. In the light of the steady improvement of the overall security situation over the past year, and after the recommendation of the designated official and a consultation with the United Nations security management team in Côte d'Ivoire, I have decided to lower the security phases in specific southern and northern areas in the Bondoukou-Bouna area to phase I, and in the western areas of Guiglo to phase III. In the rest of the northern part of the country, the security phase remains unchanged. The change in the security phases, which is in line with the recommendation of the Evaluation and Monitoring Committee at its meeting on 14 January, has been welcomed by the Government and the business community in Côte d'Ivoire.

III. Political developments

6. With the improving security and political climate in Côte d'Ivoire, the political parties have continued to increase their activities throughout the country. The Rassemblement des républicains held its convention in Abidjan on 1 February, during which its leader, Alassane Ouattara, was designated as the party's candidate for the anticipated presidential election. Mr. Ouattara subsequently publicly invited the Forces nouvelles to join the ranks of his party.

7. On 1 March, the Front populaire ivoirien, the ruling party, held a rally in Bouaké, the stronghold of the Forces nouvelles, with the participation of the Minister for Defence, Michel Amani N'Guessan, who is also the chairman of President Laurent Gbagbo's campaign for the presidential election. The party also started a campaign tour in the northern part of the country on 31 March.

8. On 8 March, Prime Minister Guillaume Soro was invited to Gagnoa, President Gbagbo's hometown, to participate in the commemoration of International Women's Day. On that occasion, Prime Minister Soro stated that, one year after the signing of the Ouagadougou Agreement, his partnership with President Gbagbo had remained strong and positive. He also expressed his appreciation for President Gbagbo's commitment to achieving peace in Côte d'Ivoire.

9. Civil society groups have continued to advocate for their inclusion in the implementation of the Ouagadougou Agreement. In that regard, the Facilitator of the Ivorian peace process, President Blaise Compaoré of Burkina Faso, has expressed his intention to convene a national consultative meeting that would include the participation of Ivorian civil society. Prime Minister Soro has also continued to

consult civil society actors in the implementation of the Ouagadougou Agreement. To that end, in February, he convened a seminar for women groups affiliated with the signatories of the Linas-Marcoussis Agreement. Participants at the seminar called on the Government to ensure that 30 per cent of the posts in public offices, in particular the legislature, be reserved for women.

10. On 14 January, the Facilitator convened the third meeting of the Evaluation and Monitoring Committee of the Ouagadougou Agreement, with the participation of the international consultative organ, which consists of the international partners of Côte d'Ivoire, including UNOCI. At the meeting, participants stressed, among other issues, the need to prioritize the electoral process and for the United Nations to elaborate, in consultation with the Government, the parameters and modus operandi of my Special Representative for Côte d'Ivoire in the certification of all stages of the electoral process, as called for by the Security Council in its resolutions 1765 (2007) and 1795 (2008). The Facilitator also convened the standing consultative forum of the Ouagadougou Agreement on 24 January. The consultative forum, comprising the main Ivorian political players (President Gbagbo, Prime Minister Soro, Henri Konan Bedié and Alassane Ouattara), urged the Government of Côte d'Ivoire to expedite the preparations for the elections, including by compressing the time frame for the publication of electoral lists, and stressed the need to guarantee equitable access by all candidates to the State-owned media. The meeting envisaged that the elections would be held in June 2008.

11. The Evaluation and Monitoring Committee met again on 21 March in Ouagadougou, under the chairmanship of President Compaoré, with the participation of Prime Minister Soro and the international consultative organ. The meeting welcomed the results of the mobile courts and recommended that the initial three-month duration be observed. The meeting recommended that the decrees related to the modalities for voter registration and for the collaboration between the technical operator and the National Institute of Statistics, as well as the contract with the French company, SAGEM, selected as the technical operator to produce national identity cards and voters cards, be concluded as soon as possible, in order to facilitate the announcement of a date for the elections. The meeting also recommended that the cantonment of combatants be accelerated, that the disarmament and dismantling of the militias start urgently and that the Government ensure appropriate funding for the cantonment operations and for the reintegration of ex-combatants. The Committee called on the parties to implement the provisions of the third agreement supplementary to the Ouagadougou Agreement, with regard to the re-establishment of fiscal and customs administration throughout the country.

12. President Gbagbo and Prime Minister Soro continued to consult with regional leaders. On 29 January, President Gbagbo travelled to Gabon where he held talks with President El-Hadj Omar Bongo Ondimba on the status of implementation of the Ouagadougou Agreement. On 6 March, Prime Minister Soro also held talks with President Bongo in Libreville. Meanwhile, the President of the Economic Community of West African States (ECOWAS) Commission, Mohamed Ibn-Chambas, undertook a two-day visit to Abidjan, on 5 and 6 March, during which he announced that ECOWAS would financially support the electoral process and deploy electoral observers to Côte d'Ivoire. On 18 and 19 March, President Gbagbo travelled to South Africa where he apprised President Thabo Mbeki of progress made in the implementation of the Ouagadougou Agreement.

IV. Status of implementation of the Ouagadougou Agreement

A. Establishment of the integrated command centre

13. The integrated command centre has continued to build up its capacity and increase its activities with support from UNOCI and the French Licorne force. The strength of the centre now stands at 544 Forces nouvelles and national defence and security personnel, out of the authorized maximum of 568, including the mixed police units. However, its operational effectiveness continues to be hampered by lack of planning, logistics difficulties and its limited finance and operational capacity. Nevertheless, since my previous report to the Security Council (S/2008/1), the communications capability of the command centre has improved with the issuance of radio equipment by the Government. The lack of adequate funding for the operations of the centre, including for salaries and allowances for its personnel, remains a major challenge.

14. The Operation and the Licorne force continued to assist the integrated command centre in elaborating its operational plans and have established a cell within the centre comprised of military, police and civilian liaison personnel. The Operation is in the process of establishing and fully equipping an operations centre at the command centre headquarters in Yamoussoukro to support planning and coordination. The Operation also provides logistical and transport assistance to the command centre, as well as an infantry platoon for security purposes, in keeping with the provisions of the Ouagadougou Agreement.

B. Deployment of mixed units and gradual lifting of the green line

15. Since my report of 2 January 2008 to the Security Council (S/2008/1), UNOCI has removed all except 2 of the 17 observation posts it had established along the green line, in keeping with the provisions of the Ouagadougou Agreement. The progressive lifting of the green line continues to be based on a comprehensive threat assessment; consultations with the integrated command centre; and the improvement in the overall security situation, in particular the assessed low probability of military confrontation between the former belligerents. The mixed units continue to patrol the former zone of confidence, but their operations are still hampered by the lack of equipment and of salaries.

C. Disarmament, demobilization and reintegration

16. The third supplementary agreement had set 22 December 2007 as the new deadline for the commencement of the cantonment of the two armed forces. Although the deadline was not met, the commanders of the two armed forces have made efforts to begin their respective cantonment. On 24 January, the Chief of Staff of the defence and security forces announced that 12,000 of its soldiers had been cantoned and registered and had deposited their weapons in storage, in keeping with the provisions of the third supplementary agreement. Subsequently, the Chief of Staff announced that following the completion of that process within the stipulated 10-day period, the defence and security forces of Côte d'Ivoire soldiers had returned to their barracks.

17. The cantonment of Forces nouvelles elements has not significantly progressed. As of 1 April 2008, only 109 elements had been cantoned. Logistical and financial constraints, as well as the lack of a clearly defined reintegration programme, have combined to hinder progress in the cantonment of the Forces nouvelles personnel. Out of the 109, 42 are still cantoned in Ferkessédougou, while the rest have been demobilized and are awaiting reintegration opportunities. The Government has recently announced that $7 million would be made available for the payment of monthly allowances for cantoned ex-combatants, which should expedite the process.

18. The international community has provided considerable assistance to the cantonment process. At the request of the high command of the Forces nouvelles, a working group comprised of the impartial forces and the Forces nouvelles was established to develop an operational plan for the cantonment of their troops. The operation also constructed three cantonment sites at Ferkessédougou, Odienné and Kane, which were formally handed over to the integrated command centre on 17 March. These and three additional cantonment sites in Man, Bouaké and Korhogo were equipped by the international community.

19. The national programme for reinsertion and community rehabilitation, which is expected to absorb a caseload of 6,000 ex-combatants, has facilitated the registration and profiling of Forces nouvelles personnel. However, the programme faces serious funding and operational challenges. Although the Government announced that approximately $31 million would be provided to the institution during the 2008 fiscal year, the funds have yet to be disbursed. International donors, concerned about the programme's capacity to develop and manage reinsertion programmes, have redirected funds to other projects. For instance, the World Bank intends to launch a $40 million reinsertion and community rehabilitation programme that would mainly benefit youth at risk, but could also absorb some demobilized combatants.

20. The planned civic service programme, which is intended to absorb a caseload of 20,000 former combatants and 20,000 youth at risk, has yet to be launched. Although the project still exists only as a concept, the Government estimates that it would cost approximately $90 million. International partners have indicated their readiness to fund the important programme, if the Government involves them in designing and implementing it.

D. Disarmament and dismantling of militias

21. The third supplementary agreement called for resumption of the disarmament and dismantling of militias by 22 December 2007. The Government subsequently requested the integrated command centre to start the disarmament and dismantling by 18 February 2008. The Operation constructed and equipped four weapons collection points in Toulepleu, Bloléquin, Guiglo and Duékoué, which the Operation officially handed over to the Ivorian authorities on 17 March. However, the process remains stalled, primarily because of the absence of structured arrangements for conducting the operation and the lack of an agreement between the Government and militia leaders on the payment of stipends and reintegration arrangements for the militias.

22. The first batch of 2,000 militia members was registered in Guiglo in June 2006 and 981 of them were subsequently disarmed and received a cash safety net

allowance. The Government has since announced that it no longer intends to pay the stipend to the remaining 1,000 registered militias and that instead they should be reintegrated through the national civic service programme, which has yet to be defined and launched (see para. 20 above). Militia leaders have rejected that proposal as inadequate and have demanded the same package offered to those disarmed in June 2006.

E. Reunification of the armed forces

23. The third supplementary agreement had set 15 December 2007 as the deadline for the establishment of a framework for the organization, composition and functioning of the new national defence and security forces. That deadline was not met. President Gbagbo signed a decree on 20 February 2008 formalizing the establishment of a working group to develop the framework. Earlier, on 5 January 2008, the Facilitator had presented to the two parties a proposal on the numbers of Forces nouvelles personnel to be integrated into the new national defence and security forces. Under that proposal, 5,000 Forces nouvelles personnel would join the armed forces; the 600 Forces nouvelles security auxiliaries trained by UNOCI in 2006 would be integrated into the police and gendarmerie in order to contribute to the security of the electoral process; and 3,400 additional Forces nouvelles personnel would be assigned to the integrated command centre to participate in police and gendarmerie tasks and would subsequently join the national police or gendarmerie if they met the national recruitment criteria. Although the Ivorian parties have not formally responded to the Facilitator's proposals, the proposals have formed the basis for discussion by the working group that is developing the framework for reunifying the armed forces.

F. Restoration of State administration throughout the country

24. Out of the 24,437 civil servants who had been displaced during the conflict, only 6,094 have yet to return to their posts throughout the country. The national committee for the redeployment of State administration announced recently that it was still facing a funding shortfall of approximately $20.7 million to complete the redeployment exercise, in particular for the rehabilitation of about 3,510 public buildings. Following a request that UNOCI vacate four priority Government-owned buildings, the Operation has relocated its camps in Brobo, Logoualé and Odienné, while the relocation of the installation in Séguéla is scheduled to be completed in May 2008.

25. The third Ouagadougou supplementary agreement provided for the redeployment of finance and customs officials throughout the country by 30 December 2007. However, that process is facing serious challenges, including the absence of a comprehensive plan for the redeployment of the law enforcement, legal, judicial and corrections personnel required to provide the necessary support to the State officials. The Government has announced that the redeployment of the judiciary would not be possible prior to the completion of the mobile courts operations, as approximately 50 per cent of the country's judges are involved in the operations. The Ministry of Justice has established a specialized justice and corrections redeployment cell, with technical assistance provided by UNOCI, to facilitate the redeployment process for police, justice and corrections systems. The

European Union is financing the rehabilitation of 10 court buildings in the north of the country, while UNOCI is assisting efforts to secure funding for the restoration of prison facilities in the north.

G. Identification of the population and voter registration

26. The Ouagadougou Agreement sought to accelerate the identification of those Ivorians who were eligible to vote. In this regard, the Agreement provided that all individuals who were on the voters list in 2000 would be automatically eligible to receive national identity cards and voters cards; the ongoing mobile courts would issue duplicate birth certificates to Ivorians aged 18 years and above, whose births had never been recorded in civil registers, to enable them to register to vote; and the civil registers that had been lost or destroyed during the conflict would be reconstituted to enable all other Ivorians who might not have been included on the 2000 voters list to register to vote.

27. Since my previous report to the Security Council (S/2008/1), the number of mobile courts involved in the identification of the Ivorian population, which started on 25 September 2007, has increased from 33 to 111, thus reaching the number of technical teams that was initially envisaged for the operations. The 14 regional electoral offices of UNOCI have observed that the hearings have been free of major security incidents and that the courts have provided satisfactory ground coverage, although six sous-prefectures have not yet been covered. Statistics collected by the Operation's regional electoral offices are shared with relevant national institutions and ministries and will be analysed in the context of the certification of the pre-identification phase. As of 8 April, the total number of duplicate birth certificates issued since the first wave of mobile courts operations in 2006 stood at 565,854. The mobile courts are expected to complete their operations by the end of April.

28. With regard to the reconstitution of civil registers that were lost or destroyed during the crisis, the third supplementary agreement provided that the exercise should be launched by the end of December 2007. To date, the national commission for the supervision of the identification has conducted an assessment of the extent of the destruction or loss of civil registers throughout the country and has determined that an estimated 25 per cent of the civil registers have been destroyed or lost and will need to be reconstituted. On 20 March, the Ministry of Justice adopted the modus operandi for the reconstitution exercise, which, before implementation, should be formalized in a decree. The European Commission and the World Bank have indicated their intentions to provide funding for the exercise.

29. On 20 February, the Government adopted the technical specifications for the issuing of identity cards and voters cards, which will guide the various institutions involved. The contract between the Government and SAGEM was signed on 27 March 2008. However, the division of responsibilities between SAGEM and the National Institute of Statistics, which has traditionally produced the cards and is expected to conduct the identification and voter registration processes jointly with SAGEM, has yet to be defined. The identification and voter registration operations are expected to involve 6,000 mobile and fixed teams at 11,000 registration centres. The technical operator estimates that the process may take up to eight months to complete. The national commission for the supervision of the identification will

oversee the issuing of national identity cards, while the Independent Electoral Commission will supervise the registration of voters by SAGEM and the National Institute of Statistics.

H. The electoral process

30. The legal framework for the electoral process, including an ordinance modifying the electoral code and a decree on the modalities for the establishment of the new voters list, has yet to be finalized. With regard to the designation of polling stations, the Independent Electoral Commission, with assistance from UNOCI, has completed a mapping of 90 per cent of the 10,453 proposed stations using global positioning system technology.

31. The budget of the Independent Electoral Commission has been finalized and is estimated at $83 million. The Government of Côte d'Ivoire will provide $18 million, while the European Union, Japan and the Republic of Korea have pledged additional support in the amount of $25 million. There is therefore a shortfall of approximately $40 million. The Economic Community of West African States has also announced its intention to provide funds, once the Independent Electoral Commission has announced a date for conducting the polls.

32. In keeping with the provisions of Security Council resolution 1765 (2007), my Special Representative has elaborated a five-criteria framework for certifying all stages of the electoral process. The framework defines broad benchmarks that will enable my Special Representative to assess whether: (a) a secure environment exists during the period leading to the elections and allows for the full participation of the population and the candidates in the process; (b) the electoral process is inclusive; (c) all candidates have equitable access to State-controlled media and whether the latter remains neutral; (d) the electoral lists are credible and accepted by all parties; and (e) the results of the elections are determined through a transparent counting process and are accepted by all or are challenged peacefully through the appropriate channels. These benchmarks were defined in consultation with all national and international partners. My Special Representative is continuing consultations with all parties in order to ensure a common understanding of each benchmark and to secure agreement on a "red-lines" approach in conducting the certification process. The certification will be conducted in close coordination with the Facilitator of the Ivorian peace process who plays a key role in the mediation and arbitration of that process. My Special Representative will also consult widely with all major players in preparing his assessment of the electoral process.

V. Deployment of the United Nations Operation in Côte d'Ivoire

A. Military component

33. As at 8 April, the military strength of UNOCI stood at 8,034 personnel, comprising 7,745 troops, 193 military observers and 96 staff officers, against a total authorized strength of 8,115. Of the Operation's 11 battalions, 5 are deployed in the western part of the country, 4 in the east and 2 in Abidjan. One aviation unit, three engineering companies, one transport company and one special force company are

providing enabling capacity and operational reserve to the force. The Sous-Groupement de sécurité, comprising 279 personnel, continues to provide close protection for members of the Government and other dignitaries.

34. The Operation has continued the process of redeploying its troops from the former zone of confidence in order to reinforce its presence in the west and north of the country and to make additional troops available to support the integrated command centre in providing security for the various key processes under the Ouagadougou Agreement. In accordance with the Operation's new concept of operations, which provides for a shift from the previous static deployment in the zone of confidence to a configuration that enables the force to be more mobile and to cover the entire territory of Côte d'Ivoire in order to help the national security forces to provide a secure environment for the re-establishment of State authority, the disarmament, demobilization and reintegration exercise, the identification process and the elections, each battalion performs long-range patrols with a minimum strength of one platoon, which remain in the field for at least two days to monitor developments within their area of responsibility.

35. Despite a further reduction in February of the Licorne troops from 2,500 to 1,800, the French force continues to provide essential support to the Operation and maintains its full quick-reaction capability. Licorne also conducts long-range patrols to key areas of the country and works with UNOCI to provide capacity-building support for the integrated command centre and the defence and security forces of Côte d'Ivoire.

B. Police component

36. As at 7 April, 1,182 police personnel were deployed to UNOCI, against an authorized ceiling of 1,200, including 434 officers and 748 personnel deployed in six formed police units. The UNOCI police component focuses on providing support, mentoring and advice to the Ivorian national police and the mixed police units that are deployed in the former zone of confidence, and to the 600 Forces nouvelles security auxiliaries who were trained by UNOCI in 2006 and deployed in the northern part of the country. The UNOCI police component also provides technical support and advice to the integrated command centre with regard to security sector reform. The formed police units provide crowd control capacity in the event of illegal or unruly demonstrations and protect United Nations personnel, installations and property within their respective areas of responsibility.

VI. Technical assessment mission

37. At the request of my Special Representative, a technical assessment mission, comprising representatives of the Department of Peacekeeping Operations, the Department of Political Affairs and the Office of the United Nations High Commissioner for Human Rights, visited Côte d'Ivoire from 3 to 12 March to assess the progress made towards preparing for the elections and to assist UNOCI in developing proposals concerning the role the Operation should play in supporting the remaining tasks under the Ouagadougou Agreement. The assessment mission met with a wide spectrum of international and Ivorian stakeholders, including President Gbagbo, Prime Minister Soro, the Chiefs of Staff of the defence and

security forces of Côte d'Ivoire and of the Forces nouvelles, representatives of political parties and the heads of the national institutions responsible for the implementation of the key processes under the Ouagadougou Agreement. It also held meetings with the special representative of the Facilitator of the Ivorian peace process, President Compaoré of Burkina Faso, representatives of the World Bank and the European Union, members of the diplomatic community, and representatives of civil society and national and international non-governmental organizations. Members of the assessment mission also travelled to Yamoussoukro, where they received briefings from the integrated command centre.

A. Findings of the assessment mission

38. The assessment mission witnessed a notable improvement in the overall political and security environment in the country. It also confirmed that all Ivorian parties were interested in holding national elections in 2008. The parties informed the mission that they were convinced that the Ouagadougou Agreement had ended the armed conflict and that the lingering political crisis could only be resolved through the holding of the elections. Both President Gbagbo and Prime Minister Soro expressed their confidence that the relative stability that had prevailed in Côte d'Ivoire since the signing of the Ouagadougou Agreement had allowed the country to proceed towards the elections, which should be held in 2008. This view is shared by the opposition parties, many civil society groups and all international stakeholders.

39. The road to the elections, however, is fraught with a treacherous mix of technical challenges, security and political risks. In addition, most of the key election-related processes are plagued by serious funding gaps, which are already impeding the electoral process and could undo the progress made so far. Despite considerable revenues from the cacao and oil industries in the south, the State is still unable to collect revenues from the northern part of the country. The Forces nouvelles zone commanders continue to control local structures so as to illicitly collect revenues for themselves.

40. The Prime Minister informed the assessment mission that another reason why the Government had not been able to provide all the funding for the key phases under the Ouagadougou Agreement was that its priority had been to clear the country's arrears to the World Bank, which amounted to $240 million, in order to resume its relationship with the international financial institutions and facilitate relief of its $19 billion debt through the Heavily Indebted Poor Countries Initiative. The Prime Minister confirmed that the Government had been able to meet its payment schedule throughout the previous year and had successfully cleared its arrears.

41. At the technical level, the electoral timelines themselves are problematic. The third supplementary agreement had envisaged that the presidential election would be held by the end of the first semester of 2008. All parties recognize that this date is no longer technically feasible. The chairman of the Independent Electoral Commission is expected to propose a date for the presidential elections, now that the contract between the Government and SAGEM for the production of national identity cards and voters cards has been concluded.

42. There are also concerns that the identification of the population, which lies at the centre of the Ivorian crisis, may again become contentious and delay the elections. While most Ivorian stakeholders, including President Gbagbo and Prime Minister Soro, provided positive feedback on the mobile courts operations, the opposition party Rassemblement des républicains complained that many Ivorians had not been able to access the mobile courts, in particular in the west owing to the presence of militias, even if those were dormant.

43. On the security front, most parties and civil society groups insist that disarmament must precede the elections. For their part, the Forces nouvelles maintain that they would canton their combatants and place their weapons in storage, in keeping with the provisions of the third supplementary agreement, once the civic service and reintegration programmes are in place. However, the civic service programme is still only a concept and donors insist that they would fund reintegration programmes only if they were involved in designing and implementing them (see para. 20 above). Furthermore, the Government has yet to make funds available for payment of the allowances to the combatants during their stay in the cantonment sites.

44. With regard to the reunification of the two forces, the Chiefs of Staff of the defence and security forces and the Forces nouvelles informed the assessment mission that they had developed a proposal for a unified transition army, which would be composed of mixed units responsible for providing security to the electoral process. However, the proposal has yet to be approved by the President and Prime Minister. Moreover, decisions on the long-standing issues concerning the ranks and salaries of the Forces nouvelles elements that will rejoin the army are still pending.

45. Work on the reintegration of Forces nouvelles elements into the national police and gendarmerie has similarly stalled, following the police and gendarmerie commanders rejection of the proposal by the Facilitator to include 4,000 Forces nouvelles personnel in the police and gendarmerie forces. The commanders insist that they would accept only the 600 Forces nouvelles security auxiliaries trained by UNOCI in 2006 and the matter has been referred back to the Facilitator.

46. Many Ivorian stakeholders expressed concern that the militias, which are reported to be currently dormant, may be easily mobilized during the elections, especially in the western part of the country and in Abidjan. Although UNOCI has handed over disarmament sites to the Government, a plan for completing the disarmament and dismantling of the militias has yet to be developed.

47. Other security concerns raised by both Ivorian and international partners include the possibility of civil unrest emanating from the population's frustration with the slow pace of progress in the peace process and the continuing exploitation by armed groups, in particular in the north, as well as possible ethnic and land tenure disputes in the west, where large numbers of internally displaced persons are already returning. In this regard, the Chief of Staff of the defence and security forces of Côte d'Ivoire, together with the police and gendarmerie commanders, reiterated the request for the Security Council to grant an exception to the arms embargo to allow the import of riot control gear and side weapons for the police and of spare parts for the military transport helicopter. According to the Ivorian officials, these items would be needed during the electoral period.

48. All Ivorian parties and civil society groups who met with the assessment mission were cognizant of the dangers that could result from elections that would be perceived as lacking credibility. They cited Kenya's recent post-election experience and emphasized the importance of the certification mandate of my Special Representative in guaranteeing the credibility of the elections. Some stakeholders expressed concern that the current consensus on the elections could unravel, in particular if various parties began to feel that they would be marginalized if they lost the elections. In this regard, various political parties and civil society groups stressed the importance of avoiding a winner-takes-all scenario and called for an inclusive post-elections political arrangement.

B. Recommendations for the role of the United Nations Operation in Côte d'Ivoire in supporting the remaining tasks under the Ouagadougou Agreement

49. The Operation will focus on the following: (a) helping the Ivorian parties to surmount the challenges and minimize the risks identified in the present report; (b) supporting the parties and the Facilitator in their efforts to keep the peace process on track; (c) contributing to a secure environment for the elections; (d) contributing, through my Special Representative, towards enhancing the credibility of the electoral process; (e) providing logistical support for the elections; (f) assisting national institutions in carrying out all the key tasks that must be completed before the elections; and (g) devising an effective and targeted public information strategy to sensitize the Ivorian players about the role of UNOCI in the peace process.

50. In order to contribute to a secure environment for the elections, it is essential to maintain the current troop strength of UNOCI until after the elections. The UNOCI military component will continue to implement its new concept of operations, work with the Licorne force to assist the parties in implementing the Facilitator's proposals for the reintegration of Forces nouvelles personnel in the national police and the army and prepare contingency plans for possible stabilization interventions to prevent acts of violence aimed at disrupting the peace process. Such contingency plans would include the redeployment of the Operation's formed police units and contingent crowd control capabilities to support national security institutions where the latter may not be adequately equipped to manage violent incidents. Recommendations on drawing down UNOCI will be made after the elections.

51. The UNOCI police component will continue to assist in reintegrating Forces nouvelles elements into the national police and gendarmerie on the basis of agreements reached by the parties and will continue to support the training and mentoring of those elements. The Operation will also provide logistical support for the redeployment of the national police to the northern part of the country in support of an agreed, comprehensive security plan for the electoral process developed by the Ivorian authorities, with the assistance of UNOCI and the Licorne force. The police component will also devise, jointly with the military component, a plan for the possible redeployment of the Operation's riot control capabilities to identified high-risk areas, including the western part of the country, Bouaké and Abidjan.

52. With regard to disarmament, UNOCI will continue to support an accelerated implementation of the cantonment of forces, in keeping with the third supplementary agreement. In that regard, it is important to obtain from both the Forces nouvelles and the Ivorian defence and security forces the promised lists of combatants, troops and weapons. The Operation will also work with the Facilitator to encourage the parties to agree on an effective arrangement for the control of the weapons placed under storage, in keeping with the supervisory role entrusted to UNOCI and the Licorne force under the Ouagadougou Agreement. The Operation will encourage the Government to involve donor partners in designing the reintegration and civic service programmes, to formulate a plan for completing the dismantling of the remaining militias in the western part of the country and in Abidjan, and to develop an effective programme and funding strategy for the long-term reintegration of ex-combatants.

53. The Operation will closely monitor each stage of the identification and electoral processes in support of my Special Representative's certification mandate. Such monitoring will enable the Ivorian parties and the Facilitator to take corrective measures, should issues arise that would make certification of any stage of the electoral process difficult. My Special Representative will fulfil his certification mandate in close consultation with the Facilitator and relevant Ivorian institutions, such as the Independent Electoral Commission and the Constitutional Council.

54. The Operation will also provide logistical support for the elections. It is reviewing the logistics needs identified by the Independent Electoral Commission in the light of its own logistical capacities. Should additional air assets and vehicles be required for the elections, it would be advisable to explore the possibility of obtaining them from the United Nations Mission in Liberia, within the framework of inter-mission cooperation.

55. The Operation will continue to assist the Ivorian authorities in completing such other critical tasks as the restoration of State authority, including the judiciary and the rule of law, throughout the country and the promotion and protection of human rights. It will also continue to work with the United Nations country team, the World Bank and other international partners to promote social cohesion and community reconciliation; will facilitate the delivery of humanitarian assistance and support for recovery, especially in the northern and western regions of the country; and will promote the peace process through its public information capacity.

56. In my thirteenth progress report on UNOCI (S/2007/275), I had recommended that UNOCI review its troop level once two key benchmarks, the disarmament process and the restoration of State authority throughout the country, had been completed. As indicated in the present report, these key benchmarks have yet to be attained. Following the anticipated elections, consultations with the newly elected Government will be essential in order to determine the nature and level of support the Ivorian authorities will require from UNOCI for the legislative and local elections before the Operation begins to draw down.

C. Support to persons affected by the conflict

57. The majority of the estimated 700,000 internally displaced persons in Côte d'Ivoire are not expected to seek assisted resettlement. The humanitarian community in Côte d'Ivoire is therefore focusing on providing assistance to 111,000

internally displaced persons from the western part of the country, some 55,000 of which had spontaneously returned to their communities by the end of 2007. The remaining internally displaced persons in the west could be resettled by the end of 2008 if the peace process continues to make steady progress without disruption. As the United Nations system and its partners are transiting from humanitarian response to recovery and development interventions, an exit strategy will be developed for the Office for the Coordination of Humanitarian Affairs in the country.

D. Supporting efforts to create a positive political environment

58. Recognizing the role of the media in shaping Ivorian political discourse, the Ouagadougou Agreement follow-up mechanisms have called for the development of a code of conduct for journalists during the forthcoming electoral campaign period, as well for equitable access to the State media. The Operation will monitor compliance with that code of conduct, in the context of its regular media monitoring, as well as in the performance of my Special Representative's role in respect of his certification mandate. In this regard, Prime Minister Soro's request for UNOCI to issue regular public reports on the Ivorian media could contribute towards curbing dangerous trends in the media that might incite elections-related violence. The Operation will therefore initiate consultations with all parties, including President Gbagbo, to ascertain their concurrence with the initiative.

E. Supporting efforts to promote and protect human rights

59. The Operation and its partners will continue to monitor the human rights situation in Côte d'Ivoire, focusing on women and children, while also building the capacity of national institutions to promote and protect human rights. There have been two encouraging developments: (a) a presidential decree has been signed validating the election of the national human rights commission executive board, paving the way for the commission to formally embark on designing and implementing human rights strategies, and (b) following the successful implementation of action plans, the Forces nouvelles and pro-Government militia groups in the west have been removed from the list of parties to armed conflict that recruit or use child soldiers (see S/2002/1299, annex).

60. However, abuses of children's rights, including sexual violence, remain of serious concern throughout the country. The Operation and the United Nations country team will therefore continue to monitor child rights violations in accordance with Security Council resolution 1612 (2005), to work together with the Government and partner institutions to adopt a national action plan on sexual violence and to support efforts to establish a national commission for war-affected children. Furthermore, the Operation continues to support the establishment of human rights clubs, now active in over 70 schools throughout the country. It has trained over 20 human rights organizations on monitoring techniques and partnered with a national non-governmental organization in facilitating the production and dissemination of awareness materials to over 30,000 people and civil society organizations, with financial support from the Office of the United Nations High Commissioner for Human Rights and the Embassy of Canada.

F. Supporting the economic recovery process

61. The Ivorian economy continues to recover, with growth in 2007 reaching 1.7 per cent as a result of increased investment and strong performances in telecommunications, construction and commerce. Growth is projected to double in 2008, owing to recovery in oil and agriculture export prices.

62. While the Government's short-term priority is to fund its recovery programme, the Ministry of Planning and Development is in the process of developing a poverty reduction strategy paper that will allow Côte d'Ivoire to benefit from the Heavily Indebted Poor Countries Initiative in the medium-term. The interim poverty reduction strategy for 2003-2007 has been expanded to include the creation of conditions favourable to national reconciliation, which include such issues as land tenure, identification and other underlying causes of the Ivorian conflict. The United Nations and the World Bank are also working to align their programmatic objectives with the national poverty reduction strategy. Both the national poverty reduction strategy paper and the United Nations Development Assistance Framework will be human rights-based.

G. Financial support for the implementation of the Ouagadougou Agreement

63. In order to facilitate the mobilization and coordination of financial assistance in support of the implementation of the processes under the Ouagadougou Agreement, the United Nations Development Programme has established two trust funds. The first, in support of recovery programmes, has received contributions in the amount of $8.4 million, with an additional $12.4 million pledged. The second, in support of the organization of elections, has received $16.6 million in contributions. In addition, the International Monetary Fund provided direct budget support in the amount of $60 million in 2007 under its emergency post-conflict assistance and will provide the same for 2008, including in support of elections and social rehabilitation. In February, the African Development Bank and the Government signed a grant agreement in the amount of $31.4 million for a multi-sectoral project that will focus on the restoration of public services and on rural development.

64. In response to the concerns of donors that pledged funds for the recovery programme could not be disbursed in the absence of clearly articulated projects, the United Nations Development Programme has provided a team of consultants to assist in the drafting of the projects. In February, the International Monetary Fund recommended that a larger part of the revenues generated by the oil industry be allocated to the implementation of the peace process.

65. The United Nations system has also worked closely with the Government of Burkina Faso to secure financial support for the facilitation of the peace process. In this regard, an assistance package in the amount of $700,000 was provided through the emergency window of the Peacebuilding Fund to support the facilitation efforts of the President of Burkina Faso, in his capacity as chairman of ECOWAS. The United Nations is also supporting the operations of the office of the Facilitator's special representative in Abidjan through a project administered by the United Nations Office for Project Services, to which the Government of Norway contributed approximately $330,000 in 2007, with additional contributions expected

in 2008 from the World Bank, France and the European Union-funded ECOWAS Peace and Security Fund.

VII. Observations

66. The Ouagadougou Agreement has built upon the limited progress made by previous agreements and achieved greater strides, bringing Côte d'Ivoire closer to national elections over the past year. Its most significant achievements include the sustained, albeit still fragile, positive political and security environment that now prevails in the country, the incipient recovery of the economy and the advances made in the identification of the population, which has been at the heart of the Ivorian crisis. The steady progress achieved so far can be attributed to the sustained partnership between President Gbagbo and Prime Minister Soro, national ownership of the peace process, as well as President Compaoré's effective facilitation role and the technical and material support provided by Côte d'Ivoire's international partners, including UNOCI, the Licorne force, donors, the humanitarian community and the international financial institutions.

67. I welcome the consensus among the Ivorian parties to hold the elections in 2008. The challenges ahead will, however, subject that consensus to a rigorous test. The parties should do everything possible to preserve the spirit of reconciliation, sustained dialogue and inclusiveness engendered by the Ouagadougou Agreement in order to keep the peace process on track. In addition, it is essential to support the fragile political and security stability in the country with concrete progress on disarmament; the dismantling of the militias; the rehabilitation and reintegration of ex-combatants; the reunification of the country; and the full restoration of State authority throughout the country. Without tangible progress on these key issues, the progress achieved so far will remain vulnerable to the risk of serious reversals.

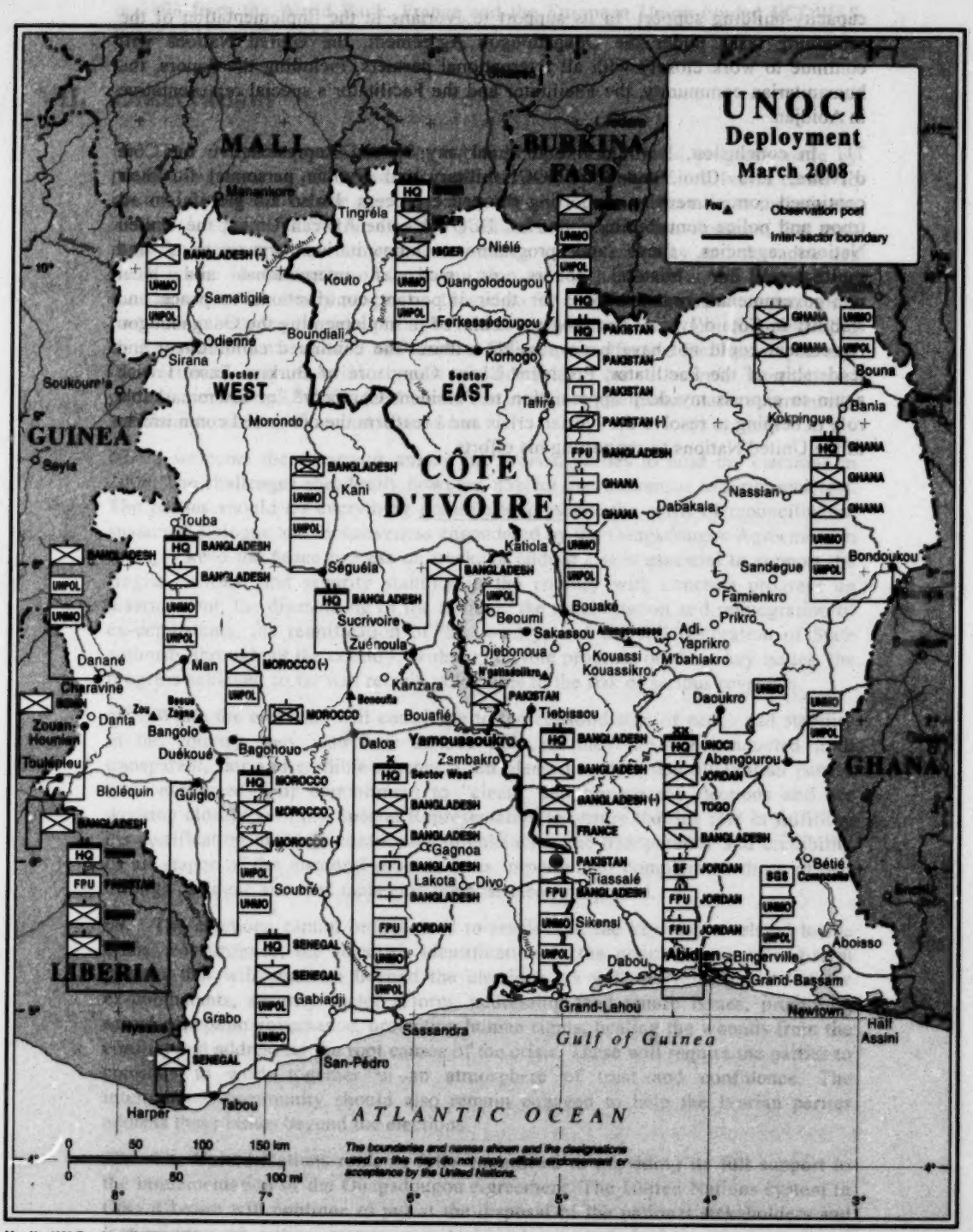
68. While the elections will contribute to the consolidation of peace and stability in the country, they also bear serious risks, if they are not conducted in a transparent, fair and credible manner. I am pleased to note that all Ivorian parties have expressed their commitment to "clean" and transparent elections and are working closely with my Special Representative to ensure that his role in fulfilling his certification mandate contributes to enhancing the transparency and credibility of all stages of the electoral process. It is important to complement those efforts through dialogue aimed at managing the post-elections period.

69. The elections cannot be expected to resolve all the key issues related to the crisis. For instance, the sensitive identification of the population is a long-term process that will continue beyond the elections, as will the reintegration of the ex-combatants, security sector reform, addressing land tenure issues, promoting sound economic governance, protecting human rights, healing the wounds from the conflict and addressing the root causes of the crisis. These will require the parties to continue to work together in an atmosphere of trust and confidence. The international community should also remain engaged to help the Ivorian parties address these issues beyond the elections.

70. The United Nations remains fully committed to providing its full support to the implementation of the Ouagadougou Agreement. The United Nations system in Côte d'Ivoire will continue to put at the disposal of the national stakeholders and institutions such critical resources as technical expertise, logistical assistance and

capacity-building support. In its support to Ivorians in the implementation of the remaining tasks under the Ouagadougou Agreement, the United Nations will continue to work closely with all international partners, including the donors, the humanitarian community, the Facilitator and the Facilitator's special representative in Abidjan.

71. In conclusion, I would like to thank my Special Representative for Côte d'Ivoire, Y. J. Choi, and all UNOCI military and civilian personnel for their continued commitment to supporting the peace process. I also am grateful to all troop and police contributing countries, ECOWAS, the African Union, the United Nations agencies, funds and programmes, humanitarian organizations and multilateral and bilateral donors, as well as international and local non-governmental organizations, for their important contributions to peace and stability in Côte d'Ivoire. The progress achieved in implementing the Ouagadougou Agreement could not have been possible without the continued commitment and leadership of the Facilitator, President Blaise Compaoré of Burkina Faso. I wish again to express my deep appreciation to President Compaoré for his remarkable role in helping to resolve the Ivorian crisis and I reaffirm the continued commitment of the United Nations to supporting his efforts.



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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1783 (2007) of 31 October 2007, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2008. In that resolution, the Council requested the Secretary-General to provide a report on the situation in Western Sahara before the end of the mandate period. The present report covers developments since the issuance of my report dated 19 October 2007 (S/2007/619) on the situation concerning Western Sahara and my report dated 25 January 2008 (S/2008/45) on the status and progress of the negotiations on Western Sahara.

II. Recent developments in Western Sahara

2. On 6 November 2007, in a speech to mark the thirty-second anniversary of Morocco's "Green March" into Western Sahara, King Mohammed VI of Morocco stated that the Kingdom would spare no effort to ensure the success of the negotiations within the framework of the Kingdom's sovereignty and territorial integrity.

3. The Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario) held its twelfth congress in Tifariti, some 70 kilometres east of the berm, from 14 to 18 December 2007. The party's leadership discussed policy options, including a possible return to armed conflict. Tensions mounted in the period leading up to the congress, with Morocco objecting to the congress being held in Tifariti. In this regard, I received a letter dated 6 December 2007 from the Permanent Representative of Morocco to the United Nations (S/2007/714) and another dated 12 December 2007 from the Minister for Foreign Affairs and Cooperation of Morocco (S/2007/731, annex), each alleging violations of the terms of the military agreements brokered in 1991.

4. On 17 February 2008, elections were organized by the Frente Polisario in the Western Saharan refugee camps near Tindouf, Algeria, for a new "Saharan parliament". The "parliament" held its inaugural meetings as part of the official celebrations held by the Frente Polisario in Tifariti on 27 February to mark the thirty-second anniversary of the proclamation of the "Saharan Arab Democratic

Republic". Morocco voiced strong objections to these events taking place in Tifariti and to some construction taking place there, claiming that the Frente Polisario was breaching the terms of the military agreements by these actions. On 3 March 2008, in a meeting with the Force Commander of MINURSO, the Moroccan military threatened action by "adequate means", including "air strikes", to prevent further construction in the area of Tifariti. The Force Commander responded that these civilian activities were some 70 kilometres east of the berm, in the "area of limited restrictions", where such activities were not a violation of military agreement No. 1.

5. Adding to the tension, during the period from January to March 2008, the Association Sahara Marocain (ASM), a Moroccan-based non-governmental organization, planned to organize a "peace march" by civilians from Smara, west of the berm, to Tifariti, east of the berm. On 5 March 2008, ASM announced that the march had been postponed indefinitely.

6. From 18 February to 13 March, the Royal Moroccan Army undertook a series of pre-scheduled military training exercises in the vicinity of Awsard, involving some 1,200 troops from its infantry, cavalry and artillery units already stationed within the Awsard subsector. MINURSO had been notified of these training exercises in October 2007; they were deemed to be in accordance with the provisions of military agreement No. 1. On 13 March, I received a letter from the Secretary-General of the Frente Polisario, Mohamed Abdelaziz, protesting the apparent provocation these military exercises entailed on the eve of the fourth round of negotiations in Manhasset, New York, to be held from 16 to 18 March 2008.

7. On 22 March, a group of international non-governmental organizations organized a demonstration on the eastern side of the berm in team site Bir Lahlou's area of operation to "express solidarity with the demands of the Saharan people". The demonstrators assembled in Rabouni, Algeria, and later proceeded by vehicle convoy to the place of the demonstration, some 700 metres from the berm, carrying flags and banners. MINURSO observed about 1,200 people at the assembly point and subsequently, a core group of 600 to 700 at the demonstration site in front of the berm. The event was closely monitored by MINURSO by air and ground patrols on both sides of the berm, in cooperation with both parties. Bir Lahlou team site was reinforced with additional military observers from Tifariti team site and maintained close contact with the Frente Polisario. Likewise, the Mahbas team site, west of the berm, liaised with the Royal Moroccan Army. MINURSO reminded the Frente Polisario and participants in the demonstration of the potential risk of minefields east of the berm. MINURSO remained on standby to provide medical assistance, if required. During the march, the Royal Moroccan Army informed the Force Commander that its forces had been instructed to monitor the situation. The demonstration passed without incident and proved to be an example of the good on-the-ground working relationship between MINURSO and the parties.

III. Activities of my Personal Envoy

A. Contacts with the parties and neighbouring States

8. During the reporting period, my Personal Envoy, Peter van Walsum, held consultations with the representatives of the two parties, Morocco and the Frente Polisario, with the representatives of the neighbouring countries, Algeria and

Mauritania, and with the representatives of other interested countries. In addition, he undertook a visit to the region from 5 to 15 February for in-depth consultations on ways to move the process of negotiations into a more intensive and substantive phase.

9. My Personal Envoy met in Rabat on 6 and 7 February with the Prime Minister, Abbes El Fassi, the Minister for Foreign Affairs and Cooperation, Taieb Fassi Fihri, the Minister of the Interior, Chakib Benmoussa, and other senior Government officials. In the Tindouf area, on 9 and 10 February, he met with the Secretary-General of the Frente Polisario, Mohamed Abdelaziz, and with the Frente Polisario Coordinator with MINURSO, M'Hamed Khadad, other senior Frente Polisario officials and traditional leaders (sheikhs). He also visited the refugee camp of El Aaiun.

10. Concerning the neighbouring countries, my Personal Envoy met in Algiers on 11 and 13 February with the Prime Minister, Abdelaziz Belkhadem, the Minister for Foreign Affairs, Mourad Medelci, the Minister of State for African Affairs, Abdelkader Messahel, and other senior Government officials. Furthermore, in Nouakchott, on 14 February, he was received by the President of Mauritania, Sidi Mohamed Ould Cheikh Abdellahi, and met with the Minister for Foreign Affairs and Cooperation, Mohamed Saleck Ould Mohamed Lemine, and other senior Government officials.

B. Status and progress of the negotiations

11. Pursuant to Security Council resolutions 1754 (2007) and 1783 (2007), the parties participated in the fourth round of negotiations held at the Greentree Estate, Manhasset, New York, from 16 to 18 March 2008, as opposed to the dates initially agreed (11-13 March). Algeria and Mauritania also attended as neighbouring countries. The parties held several sessions of face-to-face discussions, as well as separate meetings with my Personal Envoy. Representatives of the neighbouring countries, Algeria and Mauritania, were present at the opening and closing sessions and were consulted separately during the meeting.

12. During the opening session and subsequent discussions, the parties reiterated their commitment to the process of negotiations and to the implementation of Security Council resolutions 1754 (2007) and 1783 (2007). During the meeting, the parties engaged in a broad exchange of views on the implementation of the Security Council resolutions, and on the exercise of the principle of self-determination. In addition, the parties participated in discussions on thematic subjects related to administration, competencies and organs, as well as justice and resources, and replied to questions from my Personal Envoy concerning specific elements of the parties' respective proposals. At the initiative of my Personal Envoy, the parties were invited to consider strengthening the existing confidence-building measures, as well as a possible expansion of the existing programme. In reply, the delegation of the Frente Polisario indicated that it accepted all proposals made by my Personal Envoy, without exception. Regarding strengthening of the existing confidence-building measures, the parties finally agreed to explore the establishment of family visits by land route, in addition to the existing programme by air, which would increase the number of Western Saharans who could benefit from family visits. Further examination of the establishment of family visits by land will be carried out

by the parties within the framework of the Office of the United Nations High Commissioner for Refugees (UNHCR). Matters with regard to respect for human rights in the Territory as well as in the refugee camps in the Tindouf area were also raised by the parties.

13. In concluding the meeting, the parties agreed to the communiqué of my Personal Envoy, contained in annex I to the present report, and reiterated their commitment to continue the negotiations at Manhasset at a date to be determined by common agreement.

IV. Activities on the ground

A. Military

14. As at 31 March 2008, the military component of MINURSO stood at 216 personnel, including administrative and medical unit officers, against the authorized strength of 230. Since my last report, three additional women military observers have been deployed to MINURSO, two from Nigeria and one from France, bringing the total to five. I would welcome further deployments of women officers by troop-contributing countries, both for operational reasons and to improve the Mission's gender balance. During the period under review, six Brazilian Spanish-speaking military observers joined the Mission. This brings the number of Spanish-speaking military observers to 37, in addition to 32 Arabic-speaking and 15 French-speaking military observers currently deployed in MINURSO.

15. The overall situation in the area of responsibility remained generally calm. The military component of MINURSO continued to monitor the ceasefire, which has been effective since 6 September 1991, in accordance with military agreement No. 1 between the Royal Moroccan Army and MINURSO, on the one hand, and the Frente Polisario military forces and MINURSO, on the other. The military agreements divide Western Sahara into five areas, including a five-kilometre-wide buffer strip east of the berm, two restricted areas (25 kilometres east and 30 kilometres west of the berm) and two areas of limited restriction that encompass the remainder of Western Sahara. Differing restrictions on military activities and personnel apply in these areas.

16. During the period from 1 October 2007 to 31 March 2008, MINURSO performed 4,042 ground patrols and 289 air patrols to visit units of the Royal Moroccan Army and the military forces of the Frente Polisario, and to monitor adherence to the military agreements.

17. MINURSO continued to enjoy good relations with both the Royal Moroccan Army and the Frente Polisario armed forces. However, both sides continued to abstain from dealing directly with each other. All known contact between the two armed forces took the form of meetings and written communications with MINURSO.

18. Violations of military agreement No. 1 by both parties have decreased since my last report (S/2007/619). MINURSO observed and recorded three new violations by the Royal Moroccan Army and 10 new violations by the military forces of the Frente Polisario. Violations by the Royal Moroccan Army included the construction of a new building without prior notification of MINURSO, the renovation of a

weapons system shelter without a previous request and a tactical reinforcement in one of the strong points. Violations by the Frente Polisario included the destruction of mines without prior notification on 16 November 2007, the presence of military personnel inside the buffer strip on 25 November 2007 and a tactical reinforcement in an observation post in the restricted area.

19. There has been no change in the status of long-standing violations by both sides since my last report to the Security Council (S/2007/619).

20. Since my report (see S/2007/619, para. 25), the Royal Moroccan Army has continued to report a large number of alleged violations of military agreement No. 1 by the Frente Polisario pertaining to the presence of people and vehicles in the buffer strip. In all, the Royal Moroccan Army reported 29 allegations during the reporting period, of which one related to shots fired, two to the demolition of mines and unexploded ordnance, and the remainder to the presence of Frente Polisario soldiers and vehicles, all inside the buffer strip. In response to allegations of civilian presence inside the buffer strip, the Force Commander has written to the commanding officer of the Royal Moroccan Army southern sector on a monthly basis clarifying that the provisions of the military agreements do not exclude civilian activities. Likewise, each MINURSO team site commander concerned has written a similar letter to his respective Royal Moroccan Army subsector commander. The incidence of such allegations raised by the Royal Moroccan Army has subsequently decreased.

21. During the reporting period, three allegations against the Royal Moroccan Army were submitted to MINURSO by the Frente Polisario. These allegations pertained to the presence of military aircraft flying over the area of Mehaires on 14 December 2007 and over the area of Tifariti on 26 January and 12 February 2008. Owing to insufficient information and the lack of technical aerial surveillance equipment, MINURSO could neither confirm nor refute these allegations.

22. Since my last report to the Council, MINURSO has reviewed the manner in which restrictions on the freedom of movement of MINURSO military observers are assessed to bring it more in line with the exact terms of military agreement No. 1. Following this review, in October 2007, MINURSO military observers began recording restrictions on their freedom to visit strong points and units as freedom-of-movement violations. This review has led to a constructive understanding between the parties and MINURSO on this issue. I am pleased to report that during the reporting period, three Frente Polisario military regions (military region 2 in Tifariti, military region 4 in Mehaires and military region 5 in Bir Lahlou) allowed MINURSO military observers full freedom of movement. In addition, military region 3 in Mijek has also, to a large extent, honoured its obligations in this regard, with only four freedom-of-movement violations being committed. The Frente Polisario has yet to grant full freedom of movement in the remaining two military regions (1 and 7, both in Agwanit). With regard to the Royal Moroccan Army, MINURSO continues to enjoy full freedom of movement in subsector Awsard. I am pleased to report that full freedom of movement has now also been granted in subsectors Smara and Mahbas. Restrictions remain in place in subsector Oum Dreyga. During the period since my last report (see S/2007/619, para. 27), from 1 October 2007 to 31 March 2008, MINURSO has recorded a significant decrease in the number of freedom-of-movement violations by both sides, with 139 such violations being recorded on the part of the Royal Moroccan Army and 33 on the

part of the Frente Polisario. I call upon both sides to continue this positive trend so that MINURSO can enjoy full freedom of movement in order to carry out its monitoring functions more effectively and in compliance with paragraph 4 of military agreement No. 1.

23. As previously reported (see S/2006/817, para. 29), MINURSO established a Geographic Information System (GIS) cell in June 2006 to enhance the Mission's operational effectiveness and the safety of its personnel. The GIS cell has undertaken several activities, including building a military geo-database, producing more accurate maps, updating road networks using Global Positioning System (GPS) technology, and training both military and civilian staff in the use of GPS units installed in United Nations vehicles. The cell has also updated and produced operational and thematic maps of critical areas for the Mission headquarters and of each team site's area of responsibility. The cell is performing field training for military officers in team sites and a GPS and GIS course for all civilian staff in Laayoune. The cell has also worked to enhance the navigational capacity and mapping skills of both civilian staff and military observers and continues to promote the use of GIS technology as a decision-making tool.

24. Since my last report to the Council, MINURSO has equipped two forward medical teams with portable satellite telephones. Five team sites have each been equipped with satellite telephones to enhance communication with these remote medical team sites. Plans are under way to install VHF repeaters in some team sites in order to improve communications during patrols.

25. In 2004, desert locust swarms invaded Western Sahara and efforts by the Food and Agriculture Organization of the United Nations (FAO) to monitor and control the movement of the swarms were impeded by circumstances on the ground. To ensure a more timely and comprehensive flow of information on locust activities in the region, FAO approached MINURSO in 2007 to request military observers at team sites east of the berm to provide locust information as part of their daily reporting. I am pleased to report that on 10 December 2007, MINURSO began to provide FAO with such information. The information is already proving beneficial to the work of FAO, providing a more comprehensive picture of locust activity in the region, at no cost to MINURSO. With the successful filling of this significant gap in desert locust early warning, infestations can be better forecast and mitigated in a timely manner.

B. Mine action

26. With regard to military agreements Nos. 2 and 3, both parties continued to extend their cooperation to MINURSO in the marking and disposal of mines, unexploded ordnance and expired ammunition. The threat of mines and explosive remnants of war in Western Sahara has been an important focus for MINURSO in recent months. The newly established Mine Action Coordination Centre is working to enhance information on mine contamination and response, raise the level of safety for United Nations personnel operating in the field and provide technical and material support for mine action programmes in Western Sahara. In particular, the Centre has focused on improving information coordination and mapping.

27. Owing in part to the vast expanse of Western Sahara, it has not been possible to obtain a comprehensive picture of the number of accidents related to mines and

explosive remnants of war in the Territory. However, information received by local authorities on both sides of the berm indicates that at least eight such accidents occurred in the Territory during 2007. During January and February 2008, there have been three reported accidents, with three fatalities. Since 1975, Moroccan authorities have registered at least 2,171 accidents caused by mines and explosive remnants of war.

28. As previously reported (S/2007/202, para. 22 and S/2007/619, para. 30), in January 2007 the Royal Moroccan Army launched a comprehensive mine clearance operation in Western Sahara. To date, the Royal Moroccan Army has reported that some 10,000 troops have been deployed in the demining effort west of the berm. During the reporting period, the Royal Moroccan Army reportedly cleared 128,000,000 square metres and destroyed 621 anti-personnel mines, 138 anti-tank mines and 473 large-calibre pieces of unexploded ordnances. The Royal Moroccan Army also reported that its efforts had been hampered by limited resources and the lack of information relating to areas contaminated by mines. Information regarding Moroccan mine-clearance operations is being shared on an ongoing basis with the Mine Action Coordination Centre. I am pleased to report close cooperation and information-sharing between MINURSO and the Royal Moroccan Army's demining operations. MINURSO military observers report unexploded ordnance found during their patrols, which are then removed by Royal Moroccan Army technicians.

29. Civilian authorities are working closely with the military on the identification of dangerous areas and are providing mine-risk education and victim assistance in local communities. I commend the efforts of the Royal Moroccan Army and civilian authorities, working with limited resources and available information in an immense territory.

30. Landmine Action, an international non-governmental organization based in the United Kingdom, has continued to make significant progress on surveys and clearance of mines and explosive remnants of war east of the berm. Also, as previously reported (S/2007/619, para. 33), Landmine Action is working closely with the Frente Polisario and with MINURSO mine action personnel in the field, generating significant information about areas at risk. As a result, 174 designated dangerous areas have been surveyed since the beginning of 2007, of which 55 were surveyed between October 2007 and the end of March 2008. The extent of cluster-munition contamination is increasingly evident as Landmine Action's work progresses. These types of munitions are responsible for many of the accidents, which are often fatalities, in Western Sahara. Notably, the first reported victim of explosive remnants of war in 2008 was a shepherd boy playing with a cluster bomblet.

31. In that sad context, I am pleased to report that between October 2007 and the end of March 2008, Landmine Action, in cooperation with the Frente Polisario, cleared 753,500 square metres primarily contaminated by cluster munitions, bringing the total area cleared since the beginning of the project to 899,962 square metres. During this reporting period, some 484 items of unexploded ordnance in high-priority areas have been destroyed.

32. Landmine Action's activities also include training residents to recognize explosive ordnance. Individuals are trained according to international standards to survey and mark dangerous areas and to clear and destroy explosive remnants of war. With two survey/clearance teams already operating, and in keeping with the

gender guidelines for mine action programmes, Landmine Action has taken action to ensure that women are included among those training a third team.

33. Landmine Action's activities have been funded mainly through the United Nations Mine Action Service and bilaterally by the Governments of Germany and Norway. I am grateful to donors for their support. However, in order to secure the continuation of this comprehensive mine action programme, additional donor funding has been requested for 2008. I call upon the donor community to contribute generously to the mine-clearance activities of Landmine Action, which are essential to providing a safe environment for the local population as well as for United Nations military and civilian personnel in Western Sahara.

C. Prisoners of war, other detainees and persons unaccounted for

34. The International Committee of the Red Cross continues to work with the concerned parties and families in pursuing the question of persons still unaccounted for in relation to the conflict.

D. Assistance to Western Saharan refugees

35. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) continued to provide humanitarian assistance to those Western Saharan refugees who were deemed most vulnerable in the refugee camps near Tindouf, Algeria. Through its care and maintenance projects, UNHCR provided complementary food rations such as fresh food, meat, tea and yeast. It has considerably upgraded the mechanic workshop of its implementing partner, the non-governmental organization Triangle, to be able to meet the increasing need for repairs to the transportation fleet that delivers rations to the refugees.

36. I am pleased to report that the planned improvement to the water-pipe network in Awsard camp, referred to in my previous report (S/2007/619, para. 40), is progressing. With funds provided by the European Commission Humanitarian Office (ECHO), UNHCR has implemented a pilot project for the extension of water-pipe networks in Daira Guerra, a district of Awsard camp, to ensure better quality and safer handling of piped water. It is intended that this project, if successful, will be extended to the remaining districts of Awsard camp.

37. The education sector continued to benefit from strong support from UNHCR through the provision of 41,860 books for the primary level, which represents 79 per cent of the overall need. Through its intervention, the only boarding school in the camps has been renovated. Funding from UNHCR enabled a local organization to run women's centres in the various camps, thereby enhancing training and building the capacity of refugee women. I am pleased to report that funding has now been secured for the establishment of a legal library under the custody of the refugees in Rabouni (see S/2007/619, para. 41).

38. WFP is finalizing a letter of understanding with the Government of Algeria for the distribution of food in the refugee camps. In addition to continuing the general food distribution, WFP plans to maintain its programme of providing supplementary rations to women of child-bearing age, malnourished children under five years old

and children going to school in order to address the serious problems of chronic malnutrition and anaemia among these particularly vulnerable groups of refugees.

39. In 2007, the food distribution pipeline faced some disruption due to lack of funding. Discussions are ongoing between WFP and ECHO for the reinstallation of the food security stock in Rabouni, liquidated in September 2006, to ensure continuity and the timely delivery of food rations to the Western Saharan refugees. I call upon donors to contribute generously to the assistance programme for Western Saharan refugees, including the replenishment of the food security stock, in order to make the living conditions of the refugees tolerable and to prevent further disruption of their food supply.

E. Confidence-building measures

40. The UNHCR-led confidence-building programme continues to be successfully implemented in close coordination with MINURSO and in cooperation with the parties concerned.

41. From the start of the programme in November 2004 to 28 March 2008, a total of 5,644 Western Saharans benefited from the exchange of family visits (1,582 families). Of the participating individuals, 55 per cent were women and 35 per cent were children under the age of 18; 2,686 travelled to the refugee camps near Tindouf and 2,958 travelled to cities in the Territory.

42. With the aim of increasing the number of beneficiaries, UNHCR in close coordination with the parties has completed a new round of registration. In conjunction with the registration process, UNHCR undertook a review of the lists of those persons who had already registered. As a result of the registration and review exercise, UNHCR has now recorded a total of 8,201 persons (1,625 families) from the Territory and 18,869 persons (2,869 families) from the refugee camps as being eligible to take part in the programme. I welcome this positive response from the people of Western Sahara, which indicates their strong commitment to the programme.

43. At the talks between the representatives of Morocco and the Frente Polisario at the Greentree Estate in Manhasset, New York, from 16 to 18 March 2008 (see paras. 11-13 above and annex I to the present report), the parties agreed to explore the establishment of family visits by land to complement the existing programme of transport by air. If land travel can be successfully organized, a significantly higher number of people should be able to undertake visits to meet their relatives from whom they have been separated for many years. I am pleased that the parties are open to this new approach and encourage them to work closely with UNHCR and MINURSO to bring about these land crossings in the near term so that more Western Saharans can participate in the family visits.

44. The free-of-charge telephone service between the refugee camps in Tindouf and the Territory is operating successfully. Since the service began in January 2004 until 31 March 2008, over 93,502 telephone calls were made, 60 per cent of which were placed by women. UNHCR, with support from MINURSO, has now procured the equipment necessary for the installation of a fifth telephone centre, in Dakhla camp, some 180 kilometres from Tindouf, and is negotiating with the Government of Algeria to secure permission to import the equipment into Algeria.

45. As explained in my previous report (S/2007/619, para. 46), in August 2007 UNHCR reached an agreement with the parties to organize the first seminar under the confidence-building programme. The seminar was to be held in November 2007 in Madeira, Portugal. I regret to report that on 6 November 2007, Morocco notified UNHCR that it was not in a position to accept either the principle or the opportuneness of the seminar. Other complementary measures are being explored.

46. MINURSO continues to play an important role in supporting the implementation of the programme of confidence-building measures. MINURSO provides aircraft, personnel and ground transportation for the programme, and United Nations police officers facilitate airport procedures at arrival and departure points and accompany UNHCR staff on their visits to beneficiaries. In addition, a doctor or a nurse from the Malaysian medical unit of MINURSO accompanies each flight. MINURSO also continues to provide critical logistical, security and administrative support to UNHCR.

47. The confidence-building programme depends entirely on funding from donors. Despite the positive momentum experienced in recent months, including the additions to the list of those registered to take part in the family visits and the agreement between the parties at Manhasset to explore the establishment of family visits by land, without additional funds the continuation of the programme at even its current level of activity is at risk. I am of the opinion that these confidence-building measures not only provide an opportunity for dialogue but also facilitate precious contacts between the separated families of Western Sahara. As such, I strongly urge the donor community to support this important humanitarian programme so that it can continue and expand during 2008 and beyond, as needed. Moreover, I urge the parties to continue to cooperate with UNHCR and to facilitate its activities on behalf of Western Saharans.

F. Irregular migrants

48. As stated in my last report to the Council (S/2007/619, para. 49), six migrants now remain under the care of the Frente Polisario in Bir Lahlou, including four migrants from Ghana and one each from Burkina Faso and Côte d'Ivoire. Following a request from five of them for assistance to return home, the International Organization for Migration has now obtained travel documents from the authorities of Burkina Faso and Ghana, and secured transit permits from the authorities of Mauritania, to facilitate the safe return of these migrants to their countries of origin.

G. Human rights

49. Since MINURSO does not have a specific human rights mandate, it has no staff dedicated to monitoring human rights in the Territory or at the refugee camps near Tindouf. The Office of the United Nations High Commissioner for Human Rights (OHCHR) is not integrated into the Mission's operations. Nonetheless, the United Nations recognizes its duty to uphold human rights standards in all its operations, including in Western Sahara, where both parties to the conflict often accuse the other, in the media and in communications with the United Nations, of human rights violations.

50. During the period under review, international non-governmental organizations concerned with human rights and other sources reported the alleged harassment and arrest of Western Saharan human rights and political activists, and pointed to incidents where the rights to freedom of expression, association and assembly appeared to have been compromised by Moroccan authorities in the Territory. Moreover, reports suggested that Western Saharan human rights defenders were subjected to judicial processes that fell short of international fair trial standards.

51. In this regard, Mohamed Abdelaziz, Secretary-General of the Frente Polisario, wrote to me twice in January, four times in March and twice in April 2008 to protest the arrests and alleged repression of Western Saharan human rights activists by Moroccan authorities throughout the Territory, and to petition the United Nations to broaden the mandate of MINURSO to include the protection and monitoring of human rights. My attention was also drawn to the fate of civilians who had allegedly disappeared and of unaccounted for prisoners of war, and to the situation of Western Saharan political prisoners being held in Morocco, some of whose health was reportedly deteriorating because they were engaging in hunger strikes. Mr. Abdelaziz advocated the publication by OHCHR of a report on the human rights situation in Western Sahara and in the refugee camps in Tindouf, which the Office had transmitted as a confidential document to Algeria, Morocco and the Frente Polisario on 15 September 2006. As stated in my report of October 2006 (S/2006/817, para. 47), OHCHR remains committed to treating the report as confidential.

52. During the reporting period, Moroccan media sources expressed concerns about alleged human rights abuses in the Western Saharan camps near Tindouf and highlighted the allegedly deteriorating human rights and humanitarian situation of Western Saharan refugees in the camps. In addition, I received two letters dated 3 April 2008 from the Permanent Representative of Morocco, one describing the human rights reforms that have taken place in Morocco (S/2008/221) and the other expressing Morocco's concerns about the conditions in the refugee camps near Tindouf and calling for a census of the inhabitants of the camps (S/2008/230).

53. As previously reported to the Council (see S/2006/249, para. 3 and S/2007/619, para. 53), two Moroccan policemen were sentenced in June 2007 to 10 years in prison for their involvement in the death of Hamdi Lembarki, a 24-year-old Western Saharan, in Laayoune, on 30 October 2005. On 4 March 2008, an appellate tribunal in Laayoune reduced their sentences to two years. Due to time already served, the policemen were released in the first week of March. On 8 March 2008, Mr. Abdelaziz wrote to me to protest that the early release of the policemen amounted to "an offer of impunity" by the Moroccan authorities for the actions of the policemen.

H. Administration of the Mission and security measures

54. Security work is ongoing to bring the Mission into compliance with the United Nations minimum operating security standards. Perimeter defence walls, underground shelters, observation towers, security lighting systems and boom barriers and gates have now been installed at six of the nine MINURSO team sites. It is expected that work on the three remaining team sites (Oum Dreyga, Awsard and Mahbas) will be completed by the end of the current budget year, which will bring

all nine team sites into compliance with the standards. In Laayoune, MINURSO recently reached an agreement with the local authorities who provided their full consent to the work required to bring the Mission headquarters and logistics base into MOSS compliance. The Mission has now resumed work on the necessary infrastructure and security upgrades, which includes improved access controls, perimeter fences, security lighting systems, boom barriers and protective bastions around the compound walls. I commend the positive cooperation of the local authorities in this regard.

55. Following the terrorist attacks in Algiers on 11 December 2007, a number of improvements were urgently required to bolster security at the Mission's liaison office in Tindouf. Concertina wire was installed on all perimeter walls and barrels were placed on the main road leading to the liaison office in order to create a chicane and some stand-off distance where possible. Ongoing projects include the creation of an emergency exit from the office, the construction of a new security post and the establishment of a checkpoint on the main road leading to the office in order to add an extra layer of access control to be operated by MINURSO personnel or contractors.

56. The Mission has also carried out rehabilitation and security projects on the accommodation of Mission personnel in accordance with security guidelines and in conjunction with the local authorities. In addition, the Mission has adopted a new plan in the logistics base to comply with safety and environmental standards for its fuel farms. The plan will include protective measures, including construction of concrete reservoirs around all fuel tanks in the Mission area to prevent contamination from oil spills.

57. In addition to the work on security measures, facility and infrastructure improvements are also under way and the Mission is progressing on the replacement of soft-walled structures with new hard wall units at the team sites in Oum Dreyga and Smara, with more team sites to follow. In order to ensure that the water which is supplied in bulk to the team sites is of an acceptable hygiene standard, the Mission has started installation of water purification plants at four team sites, the logistics base and the Mission headquarters. These are expected to be completed by the end of 2008. Additional work is being carried out by the Mission to adhere to environmental protection guidelines by upgrading various sanitation and waste management facilities. Work has been completed in four team sites and is in progress for all the other team sites. In addition, a plan is in place to replace the generators at the Mission headquarters with local grid transformers, where possible, to minimize environmental pollution.

58. The Mission has adopted a plan for the rehabilitation of airfields. Work is progressing at two team sites (Awsard and Mahbas), west of the berm, as they are the strategic logistical hubs for the Mission. Local material and contracted equipment are being used, and the work is being carried out by MINURSO personnel. The refurbishment of the three remaining airfields and six helipads is ongoing.

59. In its continuing effort to increase local capacity-building and in the interest of cost-saving, MINURSO has proposed that eight international posts and four United Nations Volunteer positions be converted to national posts in the 2008-2009 budget year. Also recommended is the establishment of an archiving unit consisting of one international and one national General Service staff member. The creation of this

unit will address an administrative deficiency that has affected the Mission since its inception in 1991.

I. Conduct and discipline issues

60. In its resolution 1783 (2007), the Security Council requested the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse. In the past six months, one alleged case of sexual exploitation and serious misconduct was reported, and appropriate measures were taken within the regulations to deal with the matter. A compulsory comprehensive training programme for all MINURSO personnel on the standards of conduct expected, including the prevention of sexual exploitation, abuse and harassment, was completed in December 2007 under the guidance of the Conduct and Discipline Unit. The induction programme for all new staff has also been amended to highlight the Mission's zero-tolerance policy on sexual exploitation and abuse. All MINURSO personnel have been made aware of the new zero-tolerance policy on prohibited conduct in the workplace as set out in the Secretary-General's bulletin ST/SGB/2008/5. As part of the strategy to prevent serious misconduct, many opportunities for welfare and recreation activities were provided by the Mission's welfare committee with support from MINURSO.

61. During the period under review, the issue of alleged vandalism of prehistoric Western Saharan rock art by MINURSO military observers was brought to the attention of the Mission's leadership by the Frente Polisario and European academics working in the Territory. Sites of archaeological and cultural significance near Tifariti and Agwanit, both located east of the berm, were confirmed to have been affected. In response, MINURSO took swift action to prevent such behaviour from recurring. A preliminary inquiry has already been undertaken to identify those responsible, and a formal board of inquiry has been convened to investigate further. My Special Representative visited both the damaged sites during the reporting period and initiated a series of measures to ensure that the prohibition of such misconduct will be specifically highlighted to all new and existing Mission personnel within the framework of revised induction programmes and mandatory cultural awareness training. MINURSO has also requested assistance from the United Nations Educational, Scientific and Cultural Organization to identify experts whom MINURSO can engage to assess the remedial work that needs to be undertaken to repair and conserve the rock art. Along with my Special Representative, I deeply regret that the actions of a few individuals have been the cause of such damage.

V. African Union

62. The observer delegation of the African Union to MINURSO, led by its Senior Representative, Yilma Tadesse (Ethiopia), continued to provide support and cooperation to the Mission during the period under review. I wish to reiterate my appreciation to the African Union for its contribution.

VI. Financial aspects

63. The General Assembly, by its resolution 61/290 of 29 June 2007, appropriated the amount of $44.3 million for the maintenance of MINURSO for the period from 1 July 2007 to 30 June 2008. Therefore, should the Security Council approve my recommendation set out in paragraph 72 of the present report with respect to the extension of the mandate of MINURSO, the cost for the maintenance of the Mission during the extension period will be limited to the resources approved by the General Assembly.

64. As at 31 December 2007, unpaid assessed contributions to the special account for MINURSO amounted to $63.1 million. As a result of the outstanding assessed contributions, the Organization has not been in a position to reimburse the Governments providing troops since April 2002.

65. The outstanding assessed contributions for all peacekeeping operations at 31 December 2007 amounted to $2.72 billion.

VII. Observations and recommendations

66. I welcome the parties' commitment to continue the process of negotiations as stated in the final communiqué issued at their fourth round of talks held from 16 to 18 March in Manhasset, New York. However, I concur with my Personal Envoy that the momentum can only be maintained by trying to find a way out of the current political impasse through realism and a spirit of compromise from both parties. The international community will share my view that the consolidation of the status quo is not an acceptable outcome of the current process of negotiations.

67. On the basis of the fourth rounds of talks held under the auspices of the United Nations and taking into account the assessment of my Personal Envoy, I recommend that the Security Council reiterate its call upon the parties, Morocco and the Frente Polisario, to enter into a more intensive and substantive phase of negotiations. It is also my recommendation that, in doing so, the Council call upon the parties to negotiate without any precondition. My Personal Envoy has expressed his willingness to brief the parties as well as the Security Council on his assessment of the way forward.

68. I welcome the progress achieved in the clearance of mines and explosive remnants of war in Western Sahara. I commend both parties for their efforts in this regard and for their cooperation with MINURSO, and I urge them to continue working towards the goal of clearing the Territory of these hazardous weapons. As previously noted (S/2007/619, para. 64), this is a valuable contribution to the welfare of all Western Saharans and to the security of the Mission. In addition, I am encouraged by the fact that MINURSO has been able to enhance its information coordination functions and to improve the reliability of data regarding suspected hazardous areas throughout Western Sahara. These demining activities provide an opportunity for increased cooperation and confidence-building between the parties, and I would encourage both parties to work with MINURSO to establish more direct mechanisms of communication and information exchange to facilitate their work on mine clearance and other issues of common interest.

69. I am pleased to note that during the reporting period there has been a decrease in the number of reports of restrictions by the parties on the freedom of movement of MINURSO military observers. Nevertheless, I remain concerned that restrictions have continued on the movement of United Nations military observers seeking to visit the parties' units, headquarters and strong points for verification purposes. It is the responsibility of the parties to ensure that violations are not committed by their military forces, and I would encourage the parties to adhere more fully to the provisions of the military agreements and to extend their full cooperation to MINURSO in order to maintain the ceasefire and to ensure that basic peacekeeping principles are upheld.

70. I remain concerned by the humanitarian situation of the Western Saharan refugees. In this context, I am pleased that the exchanges of family visits between the Territory and the refugee camps in the Tindouf area have continued without interruption during the reporting period. I am particularly pleased that Morocco and the Frente Polisario have agreed at the talks held at Manhasset from 16 to 18 March to explore the establishment of family visits by land, in addition to the existing programme by air. This has the potential to significantly increase the number of beneficiaries able to visit their relatives from whom they have been separated for so long. However, I regret the cancellation of the planned seminar in Madeira, Portugal, and urge the parties to continue to explore ways to expand the programme of confidence-building measures. In that regard, I welcome the good cooperation that has resulted in an increase in the number of beneficiaries registered for the family visits. Given that the confidence-building programme is the one area in which visible progress has been achieved between the parties recently, that it has the potential to build trust and to help break out of the impasse in other areas and that it directly affects the quality of life of Western Saharans on a very human level, I call upon the international community to demonstrate its support for the continuation of the programme. I am deeply concerned that this valuable humanitarian initiative is at risk if additional funding is not forthcoming in the future, and I strongly urge the donor community to contribute generously to the confidence-building measures programme.

71. I would like to repeat my call to the parties (see S/2007/202, para. 52 and S/2007/619, para. 67) to remain engaged in continuous and constructive dialogue with the Office of the United Nations High Commissioner for Human Rights with a view to ensuring respect for the human rights of the people of Western Sahara. I would like to reiterate that, although MINURSO does not have the mandate or the resources to address this issue, the United Nations remains committed to upholding international human rights standards.

72. In the existing circumstances on the ground, and in the light of my Personal Envoy's continuing efforts, I believe that the presence of MINURSO remains indispensable for the maintenance of the ceasefire in Western Sahara. Therefore, I recommend that the Security Council extend the mandate of MINURSO for a further period of six months, until 31 October 2008.

73. In conclusion, I wish to express my appreciation to my Personal Envoy, Peter van Walsum, for his continuing efforts in search of a solution to the question of Western Sahara. I also wish to thank my Special Representative, Julian Harston, and the Force Commander, Major General Jingmin Zhao (China), as well as the men and women of MINURSO, for their work, under difficult circumstances, to fulfil the Mission's mandate.

Annex I

[Original: English and French]

Communiqué of the Personal Envoy of the Secretary-General for Western Sahara (in agreement with the parties)

Meeting at Manhasset (Greentree Estate)

18 March 2008

Representatives of Morocco and the Frente Polisario met in Manhasset, New York, at the Greentree Estate, from 16 to 18 March 2008, in accordance with Security Council resolutions 1754 (2007) of 30 April 2007 and 1783 (2007) of 31 October 2007 on Western Sahara. As was the case in the previous rounds of talks, representatives of the neighbouring countries, Algeria and Mauritania, were also present at the opening and closing sessions and were consulted separately during the talks.

The discussions focused on the implementation of the Security Council resolutions. The parties also discussed thematic subjects such as administration, justice and resources. Among a number of proposals I made to expand confidence-building measures, there was agreement among the parties to explore the establishment of family visits by land, which would be in addition to the existing programme by air.

In concluding this fourth round of talks, the parties reiterated their commitment to continuing the negotiations at Manhasset at a date to be determined by common agreement.

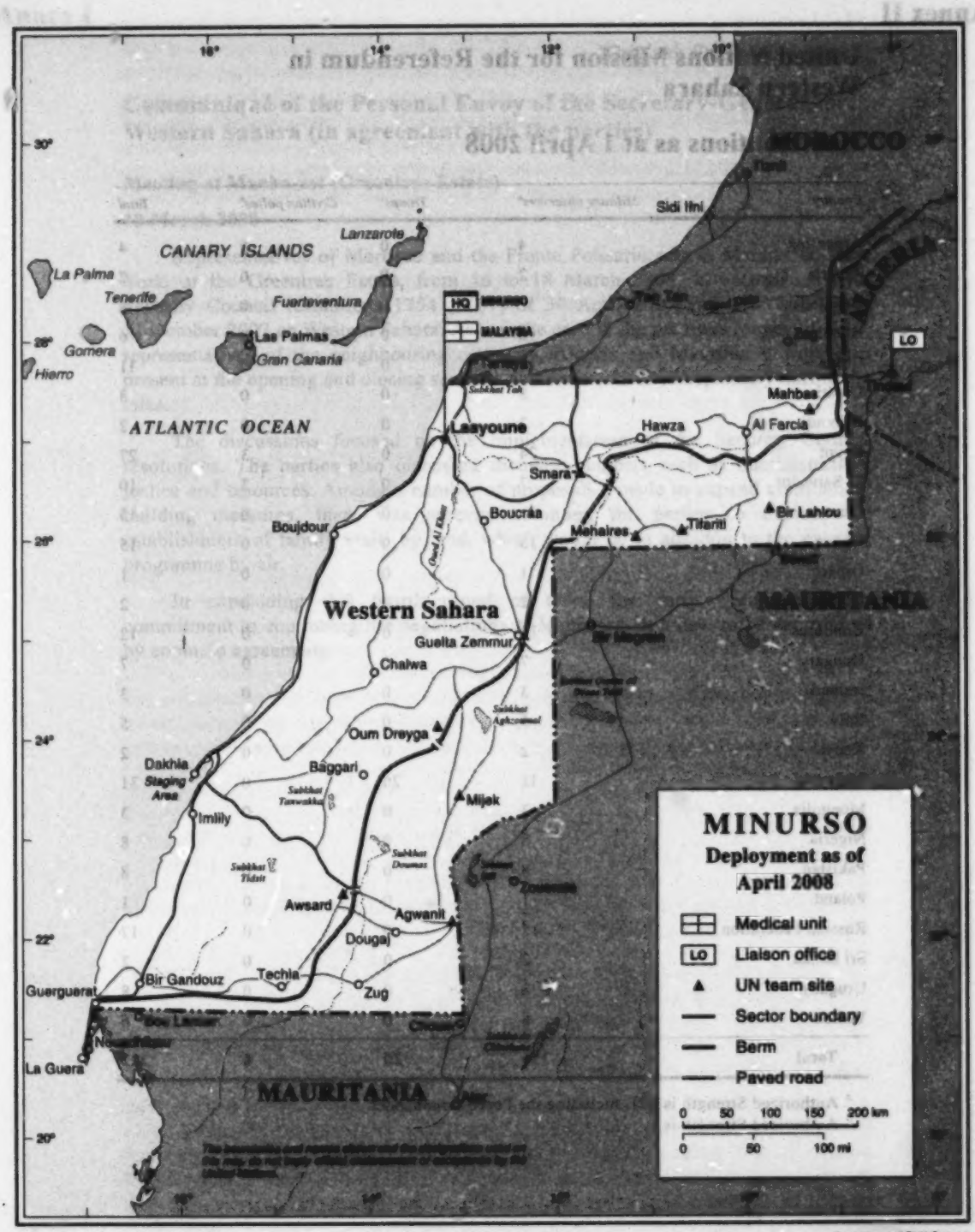
Annex II

United Nations Mission for the Referendum in Western Sahara

Contributions as at 1 April 2008

Country	*Military observers*[a]	*Troops*[a]	*Civilian police*[b]	*Total*
Argentina	4	0	0	4
Austria	2	0	0	2
Bangladesh	8	0	0	8
Brazil	6	0	0	6
China	11	0	0	11
Croatia	8	0	0	8
Djibouti	2	0	0	2
Egypt	24	0	3	27
El Salvador	7	0	3	10
France	13	0	0	13
Ghana	15	0	0	15
Greece	1	0	0	1
Guinea	2	0	0	2
Honduras	12	0	0	12
Hungary	7	0	0	7
Ireland	3	0	0	3
Italy	5	0	0	5
Kenya	2	0	0	2
Malaysia	11	20	0	31
Mongolia	3	0	0	3
Nigeria	8	0	0	8
Pakistan	8	0	0	8
Poland	1	0	0	1
Russian Federation	17	0	0	17
Sri Lanka	2	0	0	2
Uruguay	8	0	0	8
Yemen	6	0	0	6
Total	**196**	**20**	**6**	**222**

[a] Authorized Strength is 231, including the Force Commander.
[b] Authorized Strength is 6.



Map No. 3691 Rev. 57 UNITED NATIONS
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United Nations S/2008/252

Security Council

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South Africa: draft resolution

The Security Council,

Reaffirming all its previous resolutions and presidential statements on the cooperation between the United Nations and regional organizations, in particular resolutions 1625 (2005) of 14 September 2005, and 1631 (2005) of 17 October 2005, S/PRST/2004/27 of 20 July 2004, S/PRST/2004/44 of 19 November 2004, S/PRST/2007/7 of 28 March 2007, S/PRST/2007/31 of 28 August 2007 and S/PRST/2007/42 of 6 November 2007,

Also reaffirming its resolutions 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July 2005 and 1674 (2006) of 28 April 2006,

Recalling its primary responsibility for the maintenance of international peace and security, and *recognizing* that cooperation with regional and subregional organizations in matters relating to the maintenance of peace and security and consistent with Chapter VIII of the Charter of the United Nations, can improve collective security,

Welcoming the role of the African Union in efforts to settle conflicts in the African Continent and expressing its support for the peace initiatives conducted by the African Union, and through subregional organizations,

Emphasizing the need to strengthen the role of the United Nations in the prevention of armed conflicts, and stressing utility of developing effective partnerships between the United Nations and regional organizations, in particular the African Union, in order to enable early responses to disputes and emerging crises in Africa, and in this regard *noting with interest* the Secretary-General's proposal of conducting joint reviews by the United Nations and regional organizations of the state of peace and security and of mediation endeavours, particularly in Africa where joint mediation is being undertaken,

Recognizing that regional organizations are well positioned to understand the root causes of armed conflicts owing to their knowledge of the region which can be a benefit for their efforts to influence the prevention or resolution of these conflicts,

Stressing the importance of further strengthening cooperation with the African Union in order to assist building its capacity to deal with common collective security challenges in Africa, including through the African Union's commitment of rapid and appropriate responses to emerging crises situations, and the development of effective strategies for conflict prevention, peacekeeping and peacebuilding,

Recalling the resolve of Heads of State and Government of the 2005 World Summit to expand, as appropriate, the involvement of regional organizations in the work of the Security Council, and to ensure that regional organizations that have a capacity for the prevention of armed conflict or peacekeeping consider the option of placing such capacity in the framework of the United Nations Standby Arrangements System,

Recognizing the importance of strengthening the capacity of regional and subregional organizations in conflict prevention and crisis management, and in post-conflict stabilization,

Taking note of lessons learned from practical cooperation between the United Nations and the African Union, in particular the transition from the African Mission in Burundi (AMIB) to the United Nations Operation in Burundi (ONUB) and the African Mission in Sudan (AMIS) to the United Nations-African Union Mission in Darfur (UNAMID),

Acknowledging the contribution of the United Nations Liaison Office in Addis Ababa in strengthening coordination and cooperation between the United Nations and the African Union, as well as the need to consolidate it so as to enhance its performance,

Recognizing that regional organizations have the responsibility in securing human, financial, logistical and other resources for their organizations, including through obtaining contributions by their members and soliciting contributions from donors to fund their operations, and recognizing the challenges in accessing United Nations assessed contributions for funding regional organizations,

Further recognizing that one major constraint facing some regional organizations, in particular the African Union, in effectively carrying out the mandates of maintaining regional peace and security is securing predictable, sustainable and flexible resources,

Taking note of both the report of the Secretary-General on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security (S/2008/186) and the report of the Secretary-General on conflict prevention, particularly in Africa (S/2008/18),

1. *Expresses* its determination to take effective steps to further enhance the relationship between the United Nations and regional organizations, in particular the African Union, in accordance with Chapter VIII of the United Nations Charter;

2. *Encourages* the continuing involvement of regional and subregional organizations in the peaceful settlement of disputes, including through conflict prevention, confidence-building and mediation efforts;

3. *Welcomes* regional dialogue and the promotion of shared experiences as well as common regional approaches to the settlement of disputes and other issues relating to peace and security;

4. *Welcomes and further encourages* the ongoing efforts of the African Union and the subregional organizations to strengthen their peacekeeping capacity and to undertake peacekeeping operations in the continent, in accordance with Chapter VIII of the Charter of the United Nations and to coordinate with the United

Nations, through the Peace and Security Council, as well as ongoing efforts to develop a continental early warning system, response capacity such as the African Standby Force and enhanced mediation capacity, including through the Panel of the Wise;

5. *Welcomes* recent developments regarding cooperation between the United Nations, the African Union and the European Union, including the contribution of the European Union to the enhancement of African Union capacities;

6. *Encourages* regional and subregional organizations to strengthen and increase cooperation among them, in particular cooperation between the African Union (AU), Organization of American States (OAS), League of Arab States (LAS), Association of Southeast Asian Nations (ASEAN) and European Union (EU), including efforts to enhance their respective capacities, in the maintenance of international peace and security;

7. *Expresses* its determination to strengthen and make more effective its cooperation with relevant organs of regional organizations, in particular the African Union Peace and Security Council;

8. *Expresses* its determination to strengthen and enhance cooperation between the United Nations and regional organizations, in particular the African Union, in conflict prevention, resolution and management including good offices, mediation support, effective use of sanctions as mandated by the Security Council, electoral assistance, and preventive field presence; and in the case of Africa, focusing on the support to the African Union Panel of the Wise among others;

9. *Stresses* that common and coordinated efforts undertaken by the United Nations and regional organizations, in particular the African Union in matters of peace and security, should be based on their complimentary capacities, making full use of their experience in accordance with the United Nations Charter and the relevant Statutes of the regional organizations;

10. *Underlines* the importance of the implementation of the Ten-Year Capacity-Building Programme for the African Union mainly focusing on peace and security, in particular the operationalization of the African Union Standby Force;

11. *Encourages* the increased engagement of the African Union Peacekeeping Support Team within the Department of Peacekeeping Operations as a coordinating point; aimed at providing necessary expertise and transfer of technical knowledge to enhance the capacity of the African Union's Peace Support Operations Divisions including in mission planning and management, as well as the deployment of the Department of Political Affairs' staff to work with the African Union on the operationalization of the Panel of the Wise and other mediation programmes;

12. *Calls* on the Secretariat in coordination with the African Union Commission to develop a list of needed capacities and recommendations on ways the African Union can further develop military, technical, logistic and administrative capabilities;

13. *Encourages* closer cooperation between the United Nations Secretariat and the African Union Commission, including through supporting regular follow-up missions by United Nations Secretariat staff to African Union headquarters to provide further assistance, and share experiences;

14. *Expresses* its determination to further consider how to strengthen the capacity of the United Nations in the prevention of armed conflict, particularly in Africa;

15. *Recognizes* the important role of the good offices of the Secretary-General in Africa, and *encourages* the Secretary-General to continue to use mediation as often as possible to help resolve conflicts peacefully, working in coordination and closely with the African Union and other subregional organizations in that regard, as appropriate;

16. *Recognizing* the need to enhance the predictability, sustainability and flexibility of financing regional organizations when they undertake peacekeeping under a United Nations mandate, *welcomes* the Secretary-General's proposal to set up within three months an African Union-United Nations panel consisting of distinguished persons to consider in-depth the modalities of how to support such peacekeeping operations, in particular start-up funding, equipment and logistics and to consider in-depth lessons from past and current African Union peacekeeping efforts;

17. *Requests* the Secretary-General to include in his regular reporting to the Security Council, assessments of progress on the cooperation between the United Nations and relevant regional organizations;

18. *Decides* to remain seized of the matter.

United Nations A/62/803–S/2008/253

General Assembly
Security Council

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16 April 2008

Original: English

General Assembly
Sixty-second session
Agenda item 22
Question of Cyprus

Security Council
Sixty-third year

Letter dated 15 April 2008 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 7 February 2008, I have the honour to draw your attention to new violations of international air traffic regulations and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded from 6 February to 29 March 2008, as follows:

On 6 February 2008, two F-16 and two C-160 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 8 and 10 February 2008, two C-650 and two CN-235 Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 12 February 2008, one CN-235 Turkish military aircraft violated international air traffic regulations.

On 13 February 2008, two F-16 Turkish military aircraft violated international air traffic regulations, and two B-200 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 14 February 2008, two Cougar Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 15 February 2008, two C-650 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 20 February 2008, two F-16 Turkish military aircraft violated international air traffic regulations, and one CN-235 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

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On 22 February 2008, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 23 February 2008, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 26 February 2008, one Cougar Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 27 February 2008, two B-200 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 28 February 2008, one CN-235 Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 3 March 2008, two Cougar Turkish military aircraft twice violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 4 March 2008, two F-16 Turkish military aircraft violated international air traffic regulations; two CN-235 and one Cougar Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus three times.

On 5 March 2008, one C-130 and one CN-235 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 10 March 2008, one CN-235 Turkish military aircraft violated international air traffic regulations and the national airspace of the Republic of Cyprus.

On 11 March 2008, two F-16, three CN-235 and three Cougar Turkish military aircraft violated international air traffic regulations six times and the national airspace of the Republic of Cyprus four times.

On 12 March 2008, one B-200 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 13 March 2008, one CN-235 Turkish military aircraft violated international air traffic regulations.

On 14 March 2008, one CN-235 Turkish military aircraft violated international air traffic regulations.

On 15 March 2008, one CN-235 Turkish military aircraft violated international air traffic regulations.

On 17 March 2008, two C-160 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 19 March 2008, two F-16 Turkish military aircraft violated international air traffic regulations, and one CN-235 and one C-160 Turkish military aircraft violated international air traffic regulations three times and the national airspace of the Republic of Cyprus twice.

On 25 March 2008, one CN-235 Turkish military aircraft violated international air traffic regulations.

On 26 March 2008, two C-650 and two B-200 Turkish military aircraft violated international air traffic regulations four times and the national airspace of the Republic of Cyprus four times.

On 29 March 2008, two C-650 Turkish military aircraft twice violated international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On behalf of my Government, I strongly protest the aforementioned violations and call for their immediate cessation.

These violations blatantly endanger the safety of international civil aviation and contravene international law and air traffic regulations. Furthermore, they put at stake the peace and stability of the region. The Government of Turkey should heed the call of the international community, abide by the Charter of the United Nations and respect the sovereignty, independence and territorial integrity of the Republic of Cyprus, thus contributing to the creation of the required conditions for the achievement a just and viable solution to the Cyprus problem.

I should be grateful if you would arrange for the text of the present letter to be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Andreas D. **Mavroyiannis**

United Nations S/2008/254

Security Council

Distr.: General
16 April 2008

Original: English

Letter dated 15 April 2008 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

The special report of the Secretary-General on the United Nations Mission in Ethiopia and Eritrea (S/2008/226) is submitted, as stated in its paragraph 2, to set down the context in which the developments leading to the temporary relocation of the Mission evolved and recount pertinent events since the signing by Eritrea and Ethiopia, in Algiers, of the 18 June 2000 Agreement on Cessation of Hostilities and the 12 December 2000 Comprehensive Peace Agreement.

After a careful reading of the special report, my Government noted several omissions and in some instances incorrect assertions and assumptions; particularly the circumstances surrounding the departure of the United Nations Mission in Ethiopia and Eritrea, the status of the Temporary Security Zone and the completion of the Boundary Commission's work. The purpose of my letter is not to go to every detail of the report but to highlight the most relevant facts in order to have a factual account and a balanced report on the basis of the Algiers Agreements. The elements mentioned below are taken from the Algiers Agreements and from previous reports of the Secretary-General and their annexes. Their addition to the report would therefore set the record straight and complete the report. In this regard, I would kindly request that the following be read together with the special report:

Paragraphs 7, 13 and 16

- The Commission shall not have the power to make decisions ex aequo et bono (article 4(2) of the Algiers Agreement)

Paragraph 18

- On 8 June 2007 Ethiopia communicated its acceptance of the Eritrea-Ethiopia Boundary Commission (EEBC) decision without precondition, yet on 6 and 7 September 2007 during the EEBC meeting, Ethiopia reiterated its precondition by insisting on discussions on demarcation (S/2007/645, annex II)

Paragraph 20 (S/2007/33, annex II, S/2006/992, enclosure)

- Ethiopia's insistence on changing the Commission's delimitation decision since April 2002 and its demand for negotiation of the decision

- Ethiopia obstructed the Commission's field personnel and prevented them from carrying out the necessary investigations in the field and made a "cooperative process" impossible, including impeding the survey of ground control points for the aerial photography
- Ethiopia persistently maintained a position of non-compliance with its obligations in relation to the Commission (refusal of financial contribution to the Trust Fund, failure to provide security arrangements for freedom of movement of all demarcation personnel and refusal to appoint liaison officers)
- Ethiopia's failure to comply with the Commission's order of 17 July 2002 requiring it to arrange for the return to Ethiopian territory of those persons in Dembe Mengul who were moved from Ethiopia pursuant to an Ethiopian resettlement programme since 13 April 2002; and Ethiopia's non-compliance with regard to reporting to the Commission on this order by 30 September 2002
- Ethiopia's insistence on introducing "neutral bodies" into the demarcation process
- Ethiopia's rejection of invitations to attend meetings called by the Boundary Commission on several occasions
- Eritrea's acceptance of all the conditions presented by the Commission for the resumption of demarcation as expressed during the EEBC meeting in Septembe. 2007 (S/2007/645)

Paragraph 20 (S/2005/142)

- "The Commission is taking immediate steps to close down its Field Offices. These can be reactivated (though subject to some months of lead time) if Ethiopia abandons its present insistence on preconditions for the implementation of the demarcation. As for the Commission, it remains ready to proceed with and complete the process of demarcation whenever circumstances permit." (S/2005/142, annex I, para. 32)
- Ethiopia's threat to withdraw from the Algiers Agreement (S/2007/645)

It must also be underlined that my delegation finds the observations of the Secretary-General presented in paragraph 47 unresponsive to and incongruous with prevailing reality. As emphasized in the letter of President Isaias Afwerki of 25 March 2008 to the Secretary-General (S/2008/200, annex) EEBC has "completed its task by implementing the demarcation of its 'final and binding' award through a methodology that does not leave any loopholes. In the event, any explicit or implicit endeavour to question or dilute the 'validity' of the award, and the demarcation effected accordingly would be tantamount to circumventing legality and the rule of law".

The fact is that the boundary between Eritrea and Ethiopia has not only been delimited but it has also been demarcated without ambiguity by the sole authority mandated to carry out the task in accordance with the provisions of the Algiers Agreement. As the letter of President Afwerki outlined, "Whether pillars are placed along the border or not is in fact immaterial for all legal and practical purposes. It is doubtful whether there is a single case in the African continent where the boundary

has been delimited and demarcated with as much clarity and precision as the boundary between Eritrea and Ethiopia." In the circumstances, Eritrea cannot understand or accept this academic game of contemplating "various scenarios and options in the abstract" when the first and foremost responsibilities of the Security Council must be to ensure Ethiopia's compliance with its treaty obligations and ensure the evacuation of its occupation from sovereign Eritrean territories.

Furthermore, a reference, in the opening sentence of paragraph 47, to Eritrea's military occupation of the Temporary Security Zone betrays the extent to which critical facts and events are liberally misconstrued in the report. The presence of some Eritrean troops in their own territory cannot constitute military occupation by any stretch of the imagination. The Temporary Security Zone, which lies inside Eritrea, was never created as a permanent buffer zone and its status has changed with the completion of the Boundary Commission's work last November despite Ethiopia's failure to respect its commitment to the Algiers Peace Agreement.

The report misses another opportunity to affirm the importance of the supremacy of rule of law, which could have contributed positively to regional peace and security.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Araya **Desta**
Ambassador
Permanent Representative

United Nations S/2008/255

Security Council

Distr.: General
16 April 2008
English
Original: Arabic

Letter dated 14 April 2008 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Further to my successive earlier letters to the Security Council concerning the repeated violations by Chad of the Dakar Agreement and of all the agreements signed between our two countries, the most recent such letter being the one addressed to your predecessor dated 31 March 2008, I am writing to you on this occasion to inform you that at 5 p.m. on Saturday, 12 April, a force of the Justice and Equality Movement launched an attack from inside Chadian territory on the area of Jabal Kushkush, situated 5 kilometres inside Sudanese territory. The area was attacked from the north by 50 Land Cruisers and from the west by infantry and horsemen. The Sudanese armed forces dealt with that attack but other groups coming from Chad launched a further attack at 6.30 p.m. on the same day. In those confrontations, three members of the armed forces were killed and 31 wounded.

We are bringing this succession of brazen and ongoing attacks by our neighbour Chad to the attention of the Security Council in order to emphasize that, at a time when the Government of the Sudan is doing its utmost to bring about stability in Chad and to abide by the Dakar Agreement and earlier agreements, the Government of Chad is proving to the international community on a daily basis that it is determined to persist in its reckless acts of aggression against the Sudan and its territorial integrity and to endeavour, by means of these attacks and violations, to destabilize the region and to impede efforts to achieve a political settlement in Darfur.

Finally, I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Abdalmahmood Abdalhaleem **Mohamad**
Permanent Representative

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United Nations A/ES-10/417–S/2008/256

General Assembly
Security Council

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17 April 2008

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 16 April 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In grave breach of the Fourth Geneva Convention, to which it is bound as an occupying Power, Israel continues to commit the wilful killing of Palestinian civilians, including children, to destroy civilian property, infrastructure and agricultural lands, and to impose extreme measures of collective punishment against the Palestinian civilian population, particularly in the Gaza Strip, which continue to have a devastating impact on all aspects of life. As tensions and frustrations foment with Israel's ongoing 10-month siege of the Gaza Strip, by which it continues to imprison, starve and humiliate the entire Palestinian civilian population there, the cycle of violence has also continued to rage on.

In addition to the cutting off of fuel supplies and the continued obstruction of vital humanitarian aid, including food and medical supplies, which should have unfettered access to the Occupied Territory, Israel, the occupying Power, has escalated its ongoing military campaign against the Palestinian people in the Gaza Strip, killing and injuring many civilians by excessive and indiscriminate use of force. The Israeli assaults against Palestinian areas, mostly densely populated civilian neighbourhoods, are being carried out from the air, ground and sea and all means of heavy weaponry are being used against the defenceless civilian population. This has included the firing of missiles and artillery against homes, vehicles and other civilian targets in Al-Bureij refugee camp, Al-Nuseirat refugee camp and Gaza City, among other areas, in grave breach of international law.

The occupying Power's intense and brutal military attacks against the Gaza Strip continue and, since 9 April, when the latest Israeli aggression began, at least 34 Palestinians have been killed, including at least 8 children, with at least 15 Palestinians killed today alone. In this regard, in total, since our last letter to you on 3 March 2008, at least 69 Palestinians, including a newborn infant girl, have been killed by the Israeli occupying forces. This rising death toll is the manifestation of the continuous threats made by several Israeli officials to punish the people of Gaza,

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including by the Deputy Defense Minister, Matan Vilnai, who has now threatened more "revenge" against Gaza's besieged and suffering civilian population.

Along with the many civilians that have been killed, dozens more Palestinians have been wounded, many of them critically, in these recent Israeli attacks. Moreover, as widely reported, ambulances have been repeatedly prevented from reaching and rescuing the wounded civilians, including children, many of whom lay bleeding to death. As for those wounded fortunate enough to be transported to hospitals for care, they face extensive difficulties as medicines and medical supplies remain in shortage, much of the medical equipment has fallen into disrepair due to a lack of spare parts, and fuel shortages and electricity outages continue to seriously affect hospital operations.

All such actions and measures of military brutality and collective punishment are being committed by Israel, the occupying Power, in total disrespect and flagrant violation of its obligations towards the civilian population under its occupation under international law, including humanitarian and human rights law. Moreover, the occupying Power is undeniably emboldened to continue acting with such malicious impunity towards the Palestinian civilian population by the hesitance, if not silence, of the international community to clearly condemn Israel's inhumane siege of the Gaza Strip and call for an immediate end to such illegal policies and practices and for the opening of Gaza's border crossings to allow for the movement of persons, including sick persons requiring medical treatment outside of Gaza, dozens of whom have already died since the blockade began, and humanitarian personnel as well as for the movement of all essential goods and supplies.

The events of today are indicative of the continuing intensification of Israeli military attacks against the Palestinian people and the continued fuelling of the deadly cycle of violence. Such negative developments, along with the continued Israeli siege and suffocation of the Gaza Strip, forebode increased suffering and hardship for the civilian population. Even the announcement that Israel would allow some fuel back into the Gaza Strip by Wednesday does not represent a breakthrough as it will only mean that a small amount of fuel will be pumped into Gaza's pipelines to avoid a complete breakdown of all essential services. Israel will not be allowing fuel for gas stations, however, which means that daily life will continue to be paralysed and, among other things, schoolchildren, as already has been warned, will not be able to attend their schools to finish the academic year.

At the same time, in addition to the killings, destruction and siege, the Israeli occupying forces continue also to routinely carry out arrest and detentions raids throughout the West Bank and the Gaza Strip. In the past 24 hours, at least 23 Palestinians were detained by the occupying forces in the West Bank alone. Such ongoing arrests ensure the steady rise of the number of Palestinian civilians imprisoned in Israeli jails and detention centres, with the number now over 11,000 people, including hundreds of women and children, many of them subject to torture and other forms of inhumane treatment. In this regard, it should be noted that, on 13 April 2008, the Public Committee against Torture in Israel reported that such illegal cases of torture are also on the rise.

While, in accordance with the Charter of the United Nations, all States have a right to self-defence, this right does not entitle a State to violate all other rights of civilians, including civilians under occupation, towards which occupying Powers have specific and clear obligations, humanitarian and otherwise, under international

law. In the case of the Palestinian people, this security pretext has been used for far too long in an attempt to justify Israel's now more than 40-year military occupation of the Palestinian land and its cruel oppression and subjugation of the Palestinian civilian population, who continue to be denied their inalienable right to self-determination and other basic freedoms.

In this regard, as an occupied and defenceless civilian population, the Palestinian people under Israel's occupation are entitled to protection under international law. The international community, including the United Nations Security Council, has clear responsibilities in this case. Tangible measures should be immediately undertaken to uphold international law, including the Fourth Geneva Convention, and to ensure its respect by the occupying Power in order to protect the Palestinian people and bring an end to the systematic violations and grave breaches being committed by the occupying Power and ultimately bring about the actual realization of Palestinian people's inalienable human rights, with an end to the occupation that began in 1967, the establishment of the independent State of Palestine with East Jerusalem as its capital, living side by side with Israel on the basis of the 1967 borders, and thus the achievement of peace and security in the region.

This letter is in follow-up to our previous 312 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 3 March 2008 (A/ES-10/416-S/2008/170), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, I regret to inform you that, since my last letter to you, at least 69 Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 5,170. (The names of the martyrs that have been identified are included in the annex to this letter.)

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Riyad **Mansour**
Ambassador
Permanent Observer

Annex to the identical letters dated 16 April 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israel occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (from Tuesday, 4 March 2008 to Wednesday, 16 April 2008)

Tuesday, 4 March 2008

1. Youssef Al-Sameeri
2. Ameera Khaled Abdel Raheem Abu Asr (20 days old)
3. As'aad Al-Qahwaji
4. Mohammad Mehanna

Wednesday, 5 March 2008

5. Mohammad Diab
6. Na'eem Hamdiyya

Thursday, 6 March 2008

7. Nader Adel Abu Dayer
8. Zakiyya Moussa Al-Ammouri

Friday, 7 March 2008

9. Nafez Abu Kirsh
10. Fadi Ahmad Abu Haddaf
11. Sa'ed Ali Abu Haddaf
12. Zakaria Al-Aamawi

Wednesday, 12 March 2008

13. Saleh Omar Karkour
14. Mohammad Shehada
15. Ahmad Al-Balboul
16. Issa Marzouq
17. Emad Al-Kamel

Saturday, 15 March 2008

18. Mohammad Saleh Al-Sha'er
19. Hassan Ziyad Shaqqoura
20. Bassel Nahed Shabet

Sunday, 16 March 2008

21. Mahmoud Youssef Hammouda

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* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 5,170.

Thursday, 20 March 2008

22. Hassan Abu Aabed

Sunday, 23 March 2008

23. Nidal Shaqqoura

Monday, 24 March 2008

24. Youssef Abu Zhaher

Wednesday, 26 March 2008

25. Mahmoud Rabei' Abed Rabbou

Friday, 28 March 2008

26. Bilal Abed Rabbou Al-Astal

Saturday, 29 March 2008

27. Rabei' Mohsen
28. Murad Khedr
29. Tamer Marwan Dawwas (17)

Tuesday, 1 April 2008

30. Abdallah Allouh
31. Yehya Brak

Saturday, 5 April 2008

32. Raa'fat Mohammad Mansour

Sunday, 6 April 2008

33. Abdallah Ahmad Bahar

Monday, 7 April 2008

34. Shareef Bajis Ashtiyyeh (15)

Tuesday, 8 April 2008

35. Awad Mohammad Al-Tahrawi

Wednesday, 9 April 2008

36. Ismail Ahmad Abu Al-Nasr
37. Atef Al-Gharabli
38. Ahmad Al-Gharabli (16)
39. Mazen Abu Al-Qumboz
40. Hassan Sameer Awad
41. Mohammad Shamiyyeh

42. Mohammad Ali Abu Jubbah
43. Ahmad Al-Shareef

Friday, 11 April 2008

44. Youssef Al-M'ghari (17)
45. Ameen Mahmoud Al-Najjar
46. Mohammad Mostafa Al-Najjar
47. Riyad Shareef Al-Owaisi (12)
48. Shihab Abu Z'beida (17)
49. Jihad Abu Z'beida
50. Abdel Razeq Attieh Nofal
51. Youssef Ibrahim Serhan (13)
52. Munzer Abu H'waishel

Tuesday, 15 April 2008

53. Ibrahim Abu A'lba
54. Abdallah Al-Ghosain

Wednesday, 16 April 2008

55. Mostafa Al-Titr
56. Karam Al-Waddiyya
57. Mahmoud Tawfiq Halas
58. Abdel Kareem Ahmad Al-Khaisi
59. Ahmad Mohammad Awad
60. Fadl Shana'ah
61. Hani Zo'rob
62. Khalil Deghmesh
63. Sufian Mohammad
64. Mahmoud Mohammad
65. Abdallah Abu Khalil (17)
66. Islam Al-Eissawy
67. Tareq Abu Taqiyyeh
68. Ahmed Farajallah (14)
69. Ghassan Abu Otaiwi (12)

United Nations S/2008/257

Security Council

Distr.: General
17 April 2008

Original: English

Letter dated 17 April 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the President of the Security Council

I have the honour to address you in your capacity as the President of the Security Council for April 2008, and in accordance with Article 35, paragraph 1, of the Charter of the United Nations, I would like to inform you of the following.

On 16 April Russian President V. Putin instructed the Russian Government to launch formal cooperation with de facto authorities of Abkhazia, Georgia, and the Tskhinvali region/South Ossetia.

The consequences of the above-mentioned action, which is executive in its nature, pose an open and direct threat to Georgia's statehood and sovereignty. Clearly, this is designed for the annexation of parts of Georgian territory.

Accordingly, I would like to ask you to convene a meeting of the Security Council in the nearest future in order to address the above-mentioned issue, which is, once again, an apparent threat to the sovereignty and territorial integrity of a United Nations Member State — Georgia. The Minister for Foreign Affairs of Georgia, David Bakradze, will address the Council during its meeting.

(*Signed*) Irakli **Chikovani**
Chargé d'affaires a.i.

08-31186 (E) 210408

United Nations S/2008/258

Security Council

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Small arms

Report of the Secretary-General

Summary

Most present-day conflicts are fought primarily with small arms and light weapons. Such weapons are broadly used in inter-State conflict, and are the weapons of choice in civil wars and for terrorism, organized crime and gang warfare. The dividing lines between underdevelopment, instability, fragility, crisis, conflict and war are becoming increasingly blurred; contemporary conflict prevention, conflict resolution and peacebuilding therefore require multidimensional responses.

The present report discusses various aspects of the issue of small arms, with an emphasis on the negative impact that illicit small arms have on security, human rights and social and economic development, in particular in areas of crisis and in post-conflict situations. It analyses global instruments of relevance in stemming the uncontrolled proliferation of small arms, including the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects.

In addressing the issue of small arms, the report places particular emphasis on:

(a) Encouraging the development of measurable goals for reducing armed violence;

(b) Fostering enhanced cooperation among national authorities;

(c) Enhancing synergies among various bodies involved in the issue, including the Security Council, the General Assembly and the Peacebuilding Commission;

(d) Exploring possibilities for further improving the monitoring of Security Council arms embargoes;

(e) Developing forms of standardization of end-user certificates;

(f) Drawing urgent attention to destruction of surplus ammunition stockpiles and to stockpile management;

(g) Building capacity.

Within the United Nations system, coordination on the issue of small arms will be further strengthened.

08-30305 (E) 210408

I. Introduction

1. In a statement by its President dated 29 June 2007 (S/PRST/2007/24), the Security Council underlined the need to address the issue of small arms and requested me, on a biennial basis beginning in 2008, to submit to it a report containing my analysis, observations and recommendations on this issue as well as observations on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects. The present report is submitted in response to that request.[1]

II. The issue of small arms

2. Member States remain central providers of security; this is their sovereign right and responsibility, to be performed in conformity with the rule of law. To effectively execute these tasks, their armed forces, police and other security forces legitimately employ a range of weaponry, of which small arms form an important part. Governments also have a responsibility to ensure public safety and a vested interest in providing human security and development to their citizens. Therefore, ensuring that small arms in private ownership do not enter illicit circuits where their use may contribute to instability and to exacerbating poverty must be part of the equation for every Government.

3. Small arms are cheap, light and easy to handle, transport and conceal. While a build-up of small arms alone may not create the conflicts in which they are used, their excessive accumulation and universal availability tends to aggravate conflicts by increasing the lethality and duration of violence and by increasing the sense of insecurity which leads to a greater demand for weapons (E/CN.4/Sub.2/2003/29). Most present-day conflicts are fought mainly with small arms and light weapons. They are broadly used in inter-State conflict and they are the weapons of choice in civil wars and for terrorism, organized crime and gang warfare.[2]

4. The vast majority of direct conflict deaths are attributable to the use of small arms,[3] and as the Security Council is aware, civilian populations — increasingly also children — bear the brunt of armed conflict more than ever. Even in those cases where people have been killed with machetes or other non-ballistic instruments, small arms have been used in the initial round-up of the victims (E/CN.4/Sub.2/2003/29). Similarly, small arms are the dominant tools of criminal violence in ostensibly non-conflict societies, and the rate of firearms-related homicides in post-conflict societies frequently outnumbers battlefield deaths. These weapons can also be linked to the increasing number of violent deaths of United Nations employees and military peacekeepers as well as workers from humanitarian and non-governmental organizations in conflict zones.[4]

5. Small arms facilitate a vast spectrum of human rights violations, including killing and maiming, rape and other forms of sexual violence, enforced disappearance, torture and forced recruitment of children by armed groups or forces.

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[1] The term "small arms" as used in this report typically includes small arms and light weapons.

[2] United Nations Development Programme (UNDP), *Securing Development: UNDP's support for addressing small arms issues*, July 2005.

[3] The Small Arms Survey, *Small Arms Survey 2005*.

[4] World Health Organization (WHO), *World Report on Violence and Health*, 2002.

More human rights abuses are committed with them than with any other weapon (E/CN.4/Sub.2/2003/29). Furthermore, where the use of armed violence becomes an engrained means for resolving individual and group grievances and conflicts, legal and peaceful dispute resolution mechanisms are eroded and the rule of law cannot be upheld.

6. Contemporary armed conflict is the main cause of people fleeing their homes, and is now the most common cause of food insecurity.[5] For countries in the midst of long-term conflict as well as States in crisis or in a post-conflict phase and nations otherwise nominally "at peace", armed violence can aggravate poverty, inhibit access to social services and divert energy and resources away from efforts to improve human development. Countries plagued by armed violence in situations of crime or conflict often perform poorly in terms of the Millennium Development Goals.[6] Moreover, armed conflict and high levels of armed violence form a serious impediment to economic growth.[7] According to the World Bank, nothing so undermines investment climates as armed insecurity.[8]

7. Gender approaches are particularly relevant for targeted policy interventions coupled with prevention and response activities to address small arms victims, survivors and perpetrators, as well as community leaders, peace negotiators and peacekeepers. Women and girls are often gravely affected by small arms violence, through armed sexual violence, intimidation and coercion, or as surviving partners and heads of households. They can also be agents for change, for instance where disarmament, demobilization and reintegration processes are concerned and when engaged in community security initiatives. Overwhelmingly, small arms are used by and against young males. It seems crucial to further understand the interplay between armed personal protection and armed power projection, and to focus on developing sustainable, alternative livelihoods for those coping with disempowerment and despair (see, for instance, S/2008/183).

8. Reliable data sets on the small arms issue can only be built if States provide information on production, holdings, trade, legislation and use.[9] However, of all transparency measures on weapons systems, those on small arms are the least developed. According to the *Small Arms Survey*, "more is known about the number of nuclear warheads, stocks of chemical weapons and transfers of major conventional weapons than about small arms".[10] As a consequence, there are no accurate figures for the number of small arms and light weapons currently in circulation globally. Authoritative sources estimate the total to be at least 875 million. The majority of small arms — generally the only category of weapons not falling under Government monopoly of possession and use — are in private hands.[11]

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[5] Food and Agriculture Organization of the United Nations (FAO), document CFS:2005/2.

[6] UNDP, *Securing Development*, 2005.

[7] International Monetary Fund, "Fiscal consequences of armed conflict and terrorism in low- and middle-income countries", 2004.

[8] World Bank, *World Development Report 2005*.

[9] Human Security Report Project, *Human Security Report 2005*; Stockholm International Peace Research Institute (SIPRI), *Yearbook 2006*.

[10] The Small Arms Survey, *Small Arms Survey 2001*, chap. 3.

[11] The Small Arms Survey, *Small Arms Survey 2007*, chap. 2.

9. Sources of small arms supplies to areas of crisis and conflict are varied. Domestically, small arms can enter illicit circulation through distribution, theft, leakage or divergence, pilferage and resale. These can amount to massive injections of weapons into national circulation, as has been the case in Albania (1997) and Iraq (2003). Shipments of small arms to conflict zones from abroad are most often small-scale consignments — a steady trickle of weapons across porous borders. The cumulative destabilizing force of such small-scale trade is not to be underestimated, particularly in unstable regions where small arms are traded from one conflict to another.

Production

10. The small arms industry appears to be fragmenting, bringing manufacture closer to potential markets. More than 1,000 companies in about 100 countries are involved in some aspect of small arms production, with significant producers in around 30 countries.[12] Although approximations of global production cannot be verified, conservative estimates mention 7.5 million to 8 million small arms per year.[13]

11. Licensed production is now a common feature in most parts of the world, sometimes leaving questions as to where responsibility lies with regard to the export of production techniques.[14] Craft production, carried out in private workshops, is in some regions part of the picture and remains largely outside of control systems.[15]

Marking and tracing

12. If national law enforcement officials were able to trace small arms back to their last legitimate owner, who might then be held accountable, this would constitute an effective measure against the illicit trade in small arms and the diverting of weapons to the illicit market. For that purpose, it is essential that the weapon be marked upon production and import and that appropriate records be kept. Also existing stocks should be marked. Although many weapons are marked when produced and some when imported, international cooperation in marking and tracing of small arms is in its infancy.

Trade and brokering

13. Global patterns of supply of small arms and light weapons have profoundly changed over the past few decades. The vast majority of small arms are sold and transferred legally. However, changing patterns in the small arms trade have complicated controls. In the past, arms markets were relatively easy to survey, with far fewer supply outlets and less intermediate activity. Typically, orders were conducted and consignments delivered by State authorities or Government agents. As outlets have multiplied and commercial markets for small arms have become differentiated, the use of private intermediaries has increased. These actors now routinely arrange transactions for defence industries, armed forces, law enforcement agencies and suppliers to government as well as private entities, operating in a particularly globalized environment and often from multiple locations.

[12] The Small Arms Survey, *Small Arms Survey 2004*, chap. 1.
[13] The Small Arms Survey, *Small Arms Survey 2003*, chap. 1.
[14] The Small Arms Survey, *Small Arms Survey 2007*, chap. 1.
[15] The Small Arms Survey, *Small Arms Survey 2003*, chap. 1.

14. Contemporary traders, agents, brokers, shippers and financiers may well combine some of the above activities, making it difficult at times to clearly distinguish small arms trade from brokering. Unquestionably, intermediaries have a growing part to play in meeting States' security needs. However, States must assure that the shipments handled through these often complex networks are regulated according to the rule of law. Around 80 per cent of Member States have not enacted specific laws or regulations covering brokering within their systems of arms export control, and it is often unclear if those activities are covered under other laws.[16] Now that mediation and related activities have become so prominent in the international arms trade, it is of the highest significance that countries enact effective laws and regulations to govern this wide spectrum of present-day arms brokering.

15. Investigations of arms embargo violations by the monitoring groups of the Security Council have exposed some international networks involved in the illicit trade and brokering of small arms. These brokers and dealers exploit legal loopholes, evade customs and airport controls and falsify documents such as passports, end-user certificates, cargo papers and flight schedules (A/62/163). Illicit activities by certain brokers and traders — and by the Government officials they collude with — have violated every United Nations arms embargo, with small arms and ammunition as the main items transferred.[17] Somalia forms the most dismal illustration: in spite of a 16-year arms embargo, the quantity and diversity of arms available in Somalia are greater than at any time since the early 1990s (S/2007/436).

16. A recurring problem concerning the proliferation of small arms, in particular in zones of crisis and conflict, also noted by Security Council monitoring groups, is the absence of a normative framework for all States to guide decisions regarding arms transfers (S/2003/1070). Regional examples of normative frameworks have proven useful in preventing the transfer of arms to areas of conflict or repressive Governments.

End-use verification

17. End-use certificates are designed to form a key line of defence against the diversion of authorized small arms transfers. These documents, however, are effective only in the context of a broader system that includes a comprehensive consideration of diversion risks at the licensing stage, the verification of end-user documentation and post-shipment controls.[18] Without a standard or agreed format for authenticated end-use certificates, government agencies in transit States have little means of establishing their veracity. This makes interdiction of illicit transfers extremely difficult without prior intelligence.

18. Leading small arms exporting states seem to have in place at the national level the basic components to prevent unauthorized end use. However, exporting States tend not to make information available on whether they systematically verify end-

[16] United Nations Institute for Disarmament Research (UNIDIR), *Developing a Mechanism to Prevent Illicit Brokering in Small Arms and Light Weapons*, 2007.

[17] SIPRI, *United Nations Arms Embargoes*, 2007.

[18] The Small Arms Survey, *Small Arms Survey 2008* (forthcoming), chap. 5.

user documentation in advance of export. Moreover, research indicates that delivery verification is low and small arms end-use monitoring is largely neglected.[19]

Ammunition

19. Information on global ammunition flows is very difficult to obtain. More than 80 per cent of ammunition trade seems to remain outside of reliable export data. However, it forms a key component of the small arms issue. In contexts of sustained use, such as conflict situations, ammunition stockpiles are rapidly depleted, contrasting with the relative longevity of arms.[20] Preventing their resupply in situations conflicting with the rule of law should be a matter of prime concern. What is more, these stockpiles can form a double problem in themselves. Where researched, it has been demonstrated that much of the ammunition circulating among armed non-State actors has been illicitly diverted from State security forces.[21] And warehouses of ammunition, sometimes placed in densely populated areas, have recently exploded in a number of countries, including Afghanistan, Albania, Mozambique and Nigeria, causing thousands of casualties. Therefore, security as well as safety measures with regard to ammunition stockpiles need to be urgently addressed.

Stockpiles

20. Stockpile management and control has emerged as one of the most acute small arms problems. Leaking Government stockpiles are prominent sources of illegal small arms in circulation. In the most extraordinary case, that of Iraq, the loss of control of millions of small arms and light weapons, ammunition and explosives helped to undermine the stability of an entire country.[22] Generally it is far better to destroy surplus and obsolete weapons than to store them (A/CONF.192/15). In post-conflict settings, the immediate destruction of surplus weapons and ammunition removes possible fuel for new instability. What is more, properly securing and maintaining stockpiles requires funding and organizational capacity, which is often scarce in post-conflict settings and which diverts resources from urgently needed recovery and development efforts. Thus, when considering the costs of destruction over the costs associated with safe long-term storage and maintenance, destruction tends to be economically advantageous.[23]

21. The results of collection and destruction programmes are mixed. Often, projects have had only marginal impact on security, presumably because it is typically the obsolete weapons that are destroyed,[24] and because affected communities do not always participate in the design and implementation of collection programmes.[25] Also, disarmament programmes tend to focus on weapons

[19] Ibid.

[20] The Small Arms Survey, *Targeting Ammunition*, 2006.

[21] The Small Arms Survey, *Small Arms Survey 2007*, chap. 9.

[22] The Small Arms Survey, *Small Arms Survey 2004* , chap. 2.

[23] UNIDIR, *Costs of Disarmament: Cost Benefit Analysis of SALW Destruction versus Storage*, 2006.

[24] International Institute for Strategic Studies (IISS), "Small arms and light weapons", *Strategic Comments*, vol. 11, No. 4 (June 2005); The Small Arms Survey, *Small Arms Survey 2005*, chap. 10.

[25] UNIDIR, *Comparative Analysis of Evaluation Methodologies in Weapon Collection Programmes*, 2006.

rather than ammunition.[26] Most importantly, for weapons collection programmes to have a lasting effect, they must be embedded in robust efforts linked to violence reduction, reconciliation, security sector reform and peacebuilding.

22. This section illustrates that weak state regulatory and enforcing capacities as well as social, political and economic forms of inequality are commonly associated with the structural causes of armed violence and conflict. The dividing lines between underdevelopment, instability, fragility, crisis, conflict and war are increasingly blurred; the small arms issue is therefore intertwined with the security, development and human rights preconditions for sustainable peace. Present-day conflict prevention, conflict resolution and peacebuilding require multidimensional interventions. Crucially, Governments must be able to exercise legitimate authority and provide safety, security and development to their citizens. If they do not, their citizens may seek to guarantee their security through alternative forms of self-protection, retributive justice or the resort to armed violence. As long as the human security of affected populations remains unanswered, both in terms of personal and socio-economic security, the negative impact of small arms will continue to exist. That is why many States have started to recognize the importance of control measures for small arms and have agreed to a number of international instruments as a means to control the tools of violence and as a complement to efforts to address the structural causes of armed violence and conflict.

III. International instruments

Firearms Protocol

23. The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/255), offers a regulatory framework to the challenges posed by the proliferation of illicit firearms and ammunition.

24. This "Firearms Protocol" requires States to criminalize offences such as the illicit manufacture and trafficking of firearms and ammunition and the falsification or obliteration of markings on firearms. It requires States to implement control measures on the firearms trade and asks States to consider regulating the activities of brokers. It sets out uniform international standards for the movement of firearms; promotes cooperation and the exchange of information at the national, regional and global levels, including on firearms identification, detection and tracing; and promotes the development of an international system to manage commercial shipments.

25. The Firearms Protocol has not only become a global standard in the area of action against transnational organized crime, but also an instrument which complements and reinforces the implementation of both the Programme of Action and the International Tracing Instrument (see sections immediately below). Presently, it has 52 signatories and 72 parties.

[26] IISS, "Small arms and light weapons", *Strategic Comments*, vol. 11, No. 4 (June 2005).

Programme of Action

26. In 2001, Member States adopted the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.[27] This politically binding instrument laid the foundation for action at the national, regional and global levels and has become a valuable tool for States, international organizations and civil society. It recommended starting negotiations on a separate instrument on tracing illicit small arms, and it paved the way for increased attention of Member States to the issue of illicit small arms brokering. The Programme of Action contains concrete suggestions for improved national legislation and controls and international assistance and cooperation. It calls upon States to address the special needs of children affected by armed conflict.

27. Significant progress has been made in the implementation of the Programme of Action. A number of States have improved their legislation related to stemming the uncontrolled proliferation of small arms at the national level. Also, disarmament, demobilization and reintegration programmes have been developed and implemented. Some States have integrated small arms action plans into national development strategies. But many of the requirements of the instrument for implementation at the national level remain unfulfilled. National reporting under the Programme of Action has been increasing but remains low in some regions.[28] Also, national reports are often unclear on what the challenges are in national implementation, and how they could be overcome. The setting up of procedures for effective operational information exchange with investigative and law enforcement authorities from other States and with the International Criminal Police Organization (INTERPOL) leaves much to be desired.

28. The Programme of Action's suggested measures at the regional level have prompted some promising regional initiatives to curb the illicit trade in small arms, especially from a norm-setting point of view. More efforts are needed to reflect these initiatives in national legislation and procedures. Where resources are made available, regional organizations have been able to make a real difference on the ground; technical support and assistance is often provided by programmes, initiatives and projects of United Nations funds and agencies. These partnerships ensure synergy and the effective use of resources.

29. At the global level, States were unable to agree to substantive outcomes of the biennial meetings of the Programme of Action in 2003 and 2005 and its review conference in 2006.

30. In my analysis, progress in the implementation of the Programme of Action at the national, regional and global levels has been impeded by the following factors:

(a) It is not a legally binding instrument, which could imply lower prioritization than is needed;

(b) Member States tend to view the instrument through a specific lens. Although it stresses "all aspects" of the issue in its title, it does not explicitly address broader dimensions of the issue of small arms, such as the nexus between

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[27] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[28] UNIDIR, *Five Years of Implementing the United Nations Programme of Action on Small Arms and Light Weapons: Regional Analysis of National Reports*, 2006.

security and development, which was recognized by Member States at the World Summit in 2005. That omission has hindered the smooth inclusion of small arms control issues in national development strategies;

(c) The Programme of Action does not specifically address the uncontrolled proliferation of ammunition. Most Member States see small arms ammunition as being part and parcel of the issue of small arms, as did the 1997 Panel of Governmental Experts on Small Arms (see A/52/298). The Security Council has also associated the problem of ammunition with that of small arms where arms embargoes are concerned. But some Member States see ammunition as falling outside the scope of the Programme of Action;

(d) Apart from a preliminary remark on children, women and the elderly, the Programme of Action does not explicitly recognize the need for gender-specific responses where the issue of small arms is considered;

(e) The instrument lacks measurability and specific numerical targets. Whereas other landmark documents, such as the United Nations Millennium Declaration, are associated with concrete targets and deadlines, the Programme of Action proposes neither benchmarks nor cut-off dates;

(f) It does not provide concrete procedures for operational information exchange among States' investigative or law enforcement authorities;

(g) The instrument does not provide a specific framework to facilitate international assistance and cooperation among States. Hence, States have had difficulty finding cooperative structures and linking needs with resources.

International Tracing Instrument

31. By its decision 60/519, the General Assembly adopted the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (International Tracing Instrument), which includes provisions on marking new production and Government stocks, as well as marking at the time of import. It does not cover the marking or tracing of ammunition. This politically binding document provides a framework for States to file, where relevant, small arms tracing requests with one another. Moreover, it does not exclude that States can respond to tracing requests from peacekeeping missions. The International Tracing Instrument identifies the United Nations and INTERPOL as key partners in cooperating on tracing requests.

32. This instrument can be of high practical value for efforts to counter illicit small arms trade. Its ultimate success, however, depends on its actual implementation, for which a framework for assistance and cooperation again is essential. To this end, the instrument needs to be promoted and its implications must be understood by relevant policymakers and practitioners.

Trade, brokering and end use

33. As requested by the General Assembly in its resolution 61/89, I have established a group of governmental experts to look into the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, with a view to presenting a report to the Assembly at its sixty-third session.

Such an instrument, while not limited to small arms in its scope, could nonetheless provide important guidelines for the transfers of small arms.

34. In its report to the General Assembly, dated 30 August 2007 (A/62/163), the Group of Governmental Experts to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons reiterated that States should impose appropriate penalties for all illicit brokering activities, as well as arms transfers that violate Security Council embargoes — as the Council itself has underlined (see S/PRST/2002/30). The Group's report contains the first agreed description of what constitutes illicit brokering in small arms. That description is seen as fundamental to any efforts to enhance international cooperation to combat illicit brokering in small arms. It incorporates the option of including extraterritorial activities in legislation, as well as activities closely related to brokering such as transportation and financing. Brokering and trade in small arms are often difficult to distinguish from one another. This complicates the possible development of a separate instrument on brokering. Implementation of the report's recommendations should be dealt with in the framework of the Programme of Action.

35. Although some regional instruments address end-user certification and verification, no global instrument on end-use verification exists.

Ammunition

36. A group of governmental experts established pursuant to General Assembly resolution 61/72 to consider further steps to enhance cooperation with regard to the issue of conventional ammunition stockpiles in surplus, is preparing a report for the sixty-third session of the General Assembly. Given the high number of casualties from explosions in ammunition storage sites around the world, this is a critical subject to further develop policy on. However, I see strong merit in consistent attention to the other pressing aspects of the ammunition problem, such as the illicit trade and the continuing, devastating leakage of non-surplus ammunition stocks.

United Nations Register of Conventional Arms

37. A core element in preventing conflict and securing peace and stability is encouraging predictable, transparent behaviour by all States. To that end, one of the instruments at the disposal of Member States is the United Nations Register of Conventional Arms. It includes data provided by States on international arms transfers as well as information on military holdings, procurement through national production and relevant policies. Its main aim is to form the basis for regional and international confidence-building measures; transparency in armaments can help prevent destabilizing accumulations of arms and be an efficient tool of preventive diplomacy. Since its inception in 1991, a total of 172 States have participated in the Register.

38. The Register has been steadily expanding its scope. Significantly, in 2003 the General Assembly decided that the Register was also open for Member States to report their transfers of small arms. Also, since 2003, man-portable air defence systems — posing particular dangers in the hands of non-State actors — are included as well. Therefore, the Register has become a tool directly relevant for the work that the Security Council and the General Assembly are doing on small arms and light weapons.

Security Council

39. Security Council arms embargoes can serve as powerful tools to address the illicit trade and brokering in small arms and light weapons as well as the destabilizing effect of their circulation. Currently, nine standard United Nations arms embargoes are in force, which include prohibitions against, inter alia, the supply of small arms and light weapons to targeted States, entities and individuals. The arms embargoes are supported by Security Council sanctions committees established to oversee their implementation. The Council regularly reaffirms, recalls or reiterates its demand that States enforce existing arms embargoes, as their implementation continues to pose significant challenges.

40. The monitoring of arms embargoes requires tight control of a country's borders as well as inspection inside the country. However, in many States with arms embargoes, the borders are porous with very little monitoring, including at airstrips and seaports. In addition, effective arms embargo monitoring depends on active information exchange among different actors, including national authorities, peacekeeping missions and international and regional organizations.

41. Over the course of time, the design and monitoring of arms embargoes has improved, owing largely to more robust monitoring by independent monitoring groups and by peacekeeping missions. Currently, six of the nine arms embargo regimes are supported by monitoring mechanisms established by the Security Council to assist the sanctions committees in monitoring and assessing the sanctions implementation and to provide them with technical advice.

42. Two peacekeeping missions — the United Nations Operation in Côte d'Ivoire (UNOCI) and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) — have been mandated by the Council to assist in monitoring the arms embargoes in their respective areas. I am pleased to note that UNOCI, following recommendations of the Group of Experts on Côte d'Ivoire, has created a dedicated arms embargo cell and hired a customs expert. According to the Group, these initiatives have resulted in a tangible improvement in the methodology, quality and number of inspections carried out and in the creation of databases. The Group further welcomed the fact that the concept of effective embargo monitoring was mainstreamed within UNOCI (S/2007/349 and S/2006/964). However, it should also be noted that in its September 2007 report, the Group expressed the view that the monitoring of the implementation of the arms embargo was still not very effective (S/2007/611).

43. The Security Council and its sanctions monitoring groups have sought to enhance the monitoring of exceptions to the arms embargoes in force in the Democratic Republic of the Congo and Liberia. The Council decided by its resolution 1792 (2007) that States should notify the Committee established pursuant to resolution 1521 (2003) of their arms deliveries to Liberia under the exceptions granted by the Committee. The Panel of Experts on Liberia recommended that State suppliers also be requested to inform the Committee of the date, point of entry and equipment contained in each delivery, and that the Committee request the Government of Liberia and the United Nations Mission in Liberia (UNMIL) to systematically inspect such deliveries at their point of entry and provide inspection reports to the Committee (S/2007/689). Furthermore, the Group of Experts on the Democratic Republic of the Congo recommended that the Security Council Committee established pursuant to resolution 1533 (2004) promptly inform the

Group and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) of the notifications it receives from States supplying arms to the Democratic Republic of the Congo under the arms embargo exemptions (S/2008/43), and that the Government of the Democratic Republic of the Congo inform MONUC of such incoming arms shipments. Moreover, the Group called upon brokers to provide the competent authorities with the name of the agents and airlines as well as with the itinerary of the arms transport (S/2007/423).

44. By resolution 1807 (2008), while limiting the scope of the arms embargo to non-governmental actors operating in the territory of the Democratic Republic of the Congo, the Council strengthened this obligation by clarifying the information to be included in such notifications, such as end-user and proposed date of delivery. Furthermore, in partial implementation of the above recommendation of the Group of Experts, the Council requested that the Committee inform the Government and MONUC of the notification it receives from supplier States. I am pleased to note that the Council recognized the importance of increased coordination and information exchange among the actors involved in the monitoring of the arms embargo.

45. Under the terms of Security Council resolution 1596 (2005), the arms embargo regime for the Democratic Republic of the Congo includes "accessory measures", which require Governments in the region to ensure that air transport operations and documentation meet established standards, and also to strengthen customs controls on the borders between Ituri or the Kivus and neighbouring States. The implementation and monitoring of such measures can help to identify any lack of relevant institutional capacities which render the target State vulnerable to arms embargo violations. Lack of sufficient capacities constitutes a key challenge for many States in the effective monitoring and enforcement of arms embargoes.

46. The Security Council and its sanctions monitoring groups have called for concrete initiatives to mark and register arms in order to facilitate the implementation of arms embargoes. The Group of Experts on the Democratic Republic of the Congo has recommended that all arms held or imported by the Democratic Republic of the Congo be separately registered and marked on the basis of a dedicated system supported by the international community (S/2006/525). The Security Council has decided that arms and ammunition obtained by the Government of Liberia through exceptions to the arms embargo shall be duly marked and that a registry of them shall be maintained, and the Panel of Experts on Liberia has recommended that the standards of the International Tracing Instrument be used (S/2007/689). The Group of Experts on Côte d'Ivoire has recommended that Côte d'Ivoire submit a baseline statement of its arms acquisitions and holdings to the United Nations Register of Conventional Arms and to UNOCI (S/2006/204). Similar recommendations to establish baseline inventories of arms have been made by the Panel of Experts on the Sudan.

47. End-user certificates are increasingly recognized as an important element in Security Council arms embargoes. The Panel of Experts on the Sudan, mandated to monitor the sanctions measures on Darfur, recommended to the Council that States supplying arms and military equipment to the Sudan require the Government of the Sudan to provide end-use certification regarding the intended primary location for the use of equipment and supplies (S/2007/584). Other Security Council monitoring

teams have recommended the mandatory authentication, reconciliation and standardization of end-user certificates.

48. In addition to improved design and monitoring, Security Council arms embargoes have also benefited from recent advances in the theory and practice of disarmament, demobilization and reintegration as well as security sector reform. This has increased the potential for employing arms embargoes as part of an effective strategy for post-conflict peacebuilding. The implementation and effectiveness of arms embargoes globally, however, remains uneven.

Peacebuilding Commission

49. As the Council knows, building sustainable peace requires much more than addressing security — it calls for tackling longer-term challenges. This is central to the Peacebuilding Commission's mission of averting a relapse into conflict, but it should equally apply to broader United Nations efforts to stop violence from breaking out in the first place, for instance through the Security Council. The issue of small arms is directly relevant to the work of the Peacebuilding Commission, especially since levels of small arms circulating in post-conflict areas may be higher than before the conflict ended.

50. The Commission has generated trust among Member States and forged a new spirit of partnership in the international community. It will continue developing new peacebuilding tools, such as the long-term political compacts known as strategic frameworks. These strategic frameworks, and other initiatives by the Peacebuilding Commission, could benefit from full coordination with existing instruments such as the Programme of Action and the United Nations Register of Conventional Arms (including their provisions for national reporting) and with the work done in other organizations on curbing the proliferation of illicit small arms.

Other organizations

51. INTERPOL has developed its "I-24/7" global police communications system, which provide law enforcement authorities in its member countries with instant access to the organization's databases. It also enables national authorities to access each others' national databases through designated officials, while always remaining in control of their own national criminal data. Queries of these databases by national police may bring to light linkages to other criminal records, for instance records related to international organized crime, terrorism and money-laundering, which could help in combating the illicit trade and brokering in small arms.

52. National authorities in member countries can extend access to the I-24/7 system to authorized entities such as border control units or customs officials. To date, approximately a third of the 186 INTERPOL member countries have chosen to extend this system to their respective field offices. From a regulatory point of view, expanding the number of countries who have deployed the I-24/7 system to field offices would be an important improvement.

53. INTERPOL is also setting up the INTERPOL Weapons Electronic Tracing System to help national law enforcement agencies track illicit movements and uses of firearms.

54. The INTERPOL-United Nations Security Council Special Notice was created in 2005 in response to Security Council resolution 1617 (2005). By that resolution

the Council called upon the Secretary-General to work with INTERPOL to provide better tools to help the Committee established pursuant to resolution 1267 (1999) carry out its mandate regarding the freezing of assets, travel bans and arms embargos aimed at individuals and entities associated with Al-Qaida and the Taliban.

55. In 2002, the World Customs Organization (WCO) recommended that States and customs authorities "consider designating specific offices/sites for the processing of legitimate firearms shipments in order to enhance control over their trans-border movement" and "promote the conclusion of Memoranda of Understanding between customs and legitimate traders, such as manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms to strengthen controls and to increase accountability".[29]

56. Furthermore, WCO has set up a comprehensive approach to customs capacity-building with its programme to assist member countries with implementation of the WCO Framework of Standards to Secure and Facilitate Global Trade and with broad modernization. This programme will be important for enhancing the capacity of relevant national authorities to prevent, combat and eradicate illicit trade and brokering in small arms.

57. In addition, the International Civil Aviation Organization and the International Maritime Organization, as well as non-governmental industry associations such as the International Air Transport Association, have set out and regularly updated standards for the conduct of their members and for the transport of dangerous cargoes, including consignments of ammunition and explosives. The enforcement of such standards may be important for the prevention and suppression of illicit trade and brokering in small arms (A/62/163).

58. Lastly, I am encouraged by the budding process which a growing number of Member States have joined by associating themselves with the 2006 Geneva Declaration on Armed Violence and Development (see www.genevadeclaration.org), in particular because of its focus on the interconnection between small arms, armed violence and development. The Declaration commits participating States to support programmes on reducing armed violence with a development and human rights perspective. This initiative, open to all Member States, aims to promote measurable reductions in armed violence worldwide as well as tangible improvements in human security by 2015. By doing so, it introduces the concept of working towards quantifiable results on the nexus of small arms and development.

IV. Observations and recommendations

59. Within the United Nations, coordination on the issue of small arms could benefit from further improvement. I have identified reviving the Coordinating Action on Small Arms as one of the priorities in the field of disarmament for 2008. An electronic database for coordinating small arms programming, which establishes a clearing-house function for actions on the issue of small arms both for the United

[29] See recommendations of the WCO International Cooperation Council regarding the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, 29 June 2002.

Nations system, Member States and other stakeholders, is to become operational at the forthcoming biennial meeting of States on the Programme of Action. Moreover, the Coordinating Action on Small Arms has decided to embark upon developing international standards for small arms control, not unlike the standards that have been created on mine action and on disarmament, demobilization and reintegration. Also, the United Nations will pay specific attention to encouraging qualitative and quantitative improvements in national reporting.

60. It is particularly important to develop practical exchanges between the Security Council and the General Assembly on stemming the illicit flows of arms and ammunition to areas of crisis and conflict. I consider it promising that the Security Council has requested a biennial report on the issue of small arms on a recurring basis following the same two-year cycle as the meetings under the Programme of Action, and I will encourage further synergies between the two forums. One of the issues needing structural attention is how further to encourage States to adequately exchange operational information among their respective law enforcement or investigative authorities regarding the illicit trade in small arms.

61. The expanded United Nations Register of Conventional Arms, which has opened the possibility to report on man-portable air defence systems and on small arms, could be instrumental for the Security Council and the Peacebuilding Commission as well as for efforts undertaken in the framework of the Programme of Action.

Recommendation 1

States should enhance their efforts to collect, maintain and share data on small arms. States in a position to do so should increase their support for research on the distribution and impact of small arms, including assessment of the key variables of age and sex, in order to inform the content and focus of policies and strategies to address the problem.

62. The limited progress in stemming the illicit trade in small arms in all its aspects is partly due to a structural lack of data as well as a lack of coordination and capacity. Without more transparency on the part of Governments, in particular in the field of trade in small arms and ammunition, it is difficult to assess where gaps exist in the national, regional and global implementation of international instruments. Also, although non-governmental organizations and academia have been giving growing attention to this field — often doing work of high quality — I would encourage more research on the issue of small arms, including a more consistent emphasis on the specific value of sex- and age-disaggregated data and the nature and scope of the impact of small arms violence.

Recommendation 2

Key quantitative indicators for the area of small arms should be developed and used as a base against which to set measurable goals.

63. One of the most important steps that need to be taken on the issue of small arms is the development of measurability. The concept of generating baseline inventories by organizing a small arms survey at the initial stage of project development is beginning to be well-established and has proven effective in project development and evaluation. Without these baseline assessments and agreed targets,

it is difficult to frame the scope and dimension of the problem, develop effective projects and monitor progress. In this regard, I am encouraged by the objective to this end incorporated in the Geneva Declaration on Armed Violence and Development, which is open to all States. In my view, developing measurable goals on armed violence towards 2015 will offer the opportunity to integrate security-related themes into the possible follow-up of the Millennium Development Goals.

Recommendation 3

Efforts by States and regional and international organizations to curb the uncontrolled proliferation of small arms should be based on the shared acknowledgement that security, development and human rights are interconnected. Integrated responses by States require, where relevant, the integration of national small arms action plans into peacebuilding efforts, broader poverty reduction strategies and human security frameworks.

64. The issue of small arms cannot be addressed with arms control measures only. It is an integral part of a wider spectrum, in which conflict, security, armed violence, crime, trade, human rights, health and development intersect. In areas of crisis and in post-conflict situations, solutions to excessive circulation of small arms need to focus — apart from basic reduction and control measures — on alternative, sustainable livelihoods while taking the factors of gender and age into account. Peacebuilding efforts need always to include the element of small arms. The same holds true, where relevant, for broader national development plans.

Recommendation 4

The Security Council may wish to encourage a strengthened practical cooperation among relevant sanctions monitoring groups of the Security Council, peacekeeping missions, Member States and their investigative authorities as well as relevant regional and international organizations.

65. Sanctions monitoring groups established by the Security Council often face practical challenges, such as a lack of capacity to electronically process and analyse their findings and relating those findings to data collected by monitoring groups under other sanctions committees. Additionally, cooperation between Member States and these monitoring groups is often inadequate. The background documentation accumulated by the monitoring groups is not systematically shared with the investigative authorities of Member States that express an interest in pursuing national prosecution. Also, it would be helpful if the reports and documentation accumulated by the groups were shared with international organizations, such as INTERPOL, for the purposes of identifying trends, criminality, and the modus operandi of illicit arms traffickers, which may be of use to the investigative authorities of Member States.

66. It also appears that there is a need to correlate efforts between sanctions committees and INTERPOL. The Special Notice developed by INTERPOL and the Committee established pursuant to resolution 1267 (1999) in response to Security Council resolution 1617 (2005) is a solid basis for exploring further practical cooperation between the two organizations on other arms embargoes. Building on that positive experience, the Council adopted resolution 1699 (2006) in August 2006, which enables all other sanctions committees to request assistance from INTERPOL and to benefit from its tools on the basis of individual agreements.

Recommendation 5

Peacekeeping missions mandated to monitor arms embargoes should increasingly seek to assign this task to a dedicated unit equipped with the capacity to carry it out comprehensively.

67. The recent inclusion of United Nations arms embargoes monitoring functions in the mandates of United Nations peacekeeping missions opens the question of how the responsibility for this mandate should be organized within the mission. Appointing dedicated staff within the missions, which was done in the case of UNOCI, instead of having all mission personnel share this responsibility, seems to improve the effectiveness of these monitoring functions. Also, such operations could be more effective if efforts were made to enhance their capacity and authority to carry out inspections at sensitive airports, seaports and road links and to coordinate their findings with the relevant Security Council sanctions monitoring groups so as to report adequately and in a timely fashion to the Council's sanctions committees.

Recommendation 6

The Security Council may wish to further strengthen synergies between a United Nations arms embargo and possible disarmament, demobilization and reintegration efforts.

68. The effectiveness of arms embargoes is initially dependent upon the removal of excess small arms from internal circulation within the embargoed State. This is only one of many reasons why disarmament, demobilization and reintegration programmes and other micro-disarmament initiatives are vital in States emerging from conflict. The Group of Experts on Côte d'Ivoire noted that these programmes would effectively limit possible obstacles to the ongoing peace process and would help to create a more favourable security climate (S/2007/611). The Group of Experts on the Democratic Republic of the Congo noted that internal circulation of military equipment remains problematic and recommended that the Security Council request the Government of the Democratic Republic of the Congo and its international cooperation partners to reactivate an effective process of disarmament, demobilization and reintegration of members of illegal armed groups (S/2008/43). Making use of United Nations radio stations in field operations could be of particular importance for the dissemination of information on disarmament, demobilization and reintegration programmes.

Recommendation 7

Where a United Nations arms embargo coincides with disarmament, demobilization and reintegration efforts, the Security Council may wish to consider requesting the establishment of a baseline arms inventory as well as arms marking and registration systems.

69. A better understanding of the arms and related material that exist within an embargoed State or territory, achieved by establishing a baseline inventory of arms together with a system of marking those arms, can serve to enhance several processes related to arms embargoes. These include monitoring, security sector reform and disarmament, demobilization and reintegration. The Council may wish to review the Liberia sanctions regime model carefully in order to assess the applicability of some of its provisions, such as the marking and registering of arms

received under exceptions granted by the Committee, and mandating the relevant peacekeeping mission to regularly inspect those weapons. The expert monitoring groups have provided a number of recommendations in this connection to assist in any review process.

Recommendation 8

Member States and peacekeeping missions should, where relevant, be encouraged to use the new International Tracing Instrument and the INTERPOL global police communications system.

70. Through regional workshops focusing on practical cooperation in tracing small arms, the United Nations is encouraging States to make use, where relevant, of the new International Tracing Instrument. It is important for the Council to recognize that peacekeeping missions are not barred from filing such tracing requests. This possibility could be incorporated in their mandates, and Member States should be encouraged to cooperate in this regard.

71. In their tracing efforts, Member States should be called upon to use, as required, the INTERPOL "I-24/7" global police communications system and the INTERPOL Weapons Electronic Tracing System. Peacekeeping missions could do so as well.

Recommendation 9

Destruction of surplus ammunition stockpiles should be a priority for relevant peacekeeping missions and Governments. The management of arms and ammunition stockpiles requires a level of regulatory capacity which will often need urgent attention in developing peacebuilding efforts.

72. Citizens in a number of countries live in peril because of poorly guarded and poorly maintained small arms ammunition storage sites. In particular in countries coming out of conflict, it is vital that destruction of surplus ammunition stockpiles be addressed as a matter of urgency. Safeguarding ammunition warehouses should therefore not only be treated as a priority for peacekeeping missions, but should also be considered as a part of initial peacebuilding efforts. Often, measures aimed at establishing comprehensive and effective administrative and technical procedures will be needed to embed stockpile security in wider regulatory capacity. Safe and secure small arms stockpile management can be seen as a litmus test of a government's capability to function as a responsible guarantor of peace, security and development for its citizens.

Recommendation 10

Where relevant, the Security Council may wish to consider applying more regularly its practice of linking arms embargo exceptions with security sector reform.

73. Currently, the Liberia sanctions regime offers security sector reform as a condition for lifting the arms embargo. The sanctions regime of the Democratic Republic of the Congo also refers to security sector reform in connection with possible exceptions to the arms embargo, but without a direct link between the achievement of such reform and the lifting of the embargo. Where appropriate, a stronger linkage between security sector reform and lifting an arms embargo may

provide an effective incentive for the success of such reform. This is also important from the point of view of preventing a recurrence of conflict in fragile post-conflict situations.

Recommendation 11

The Security Council may wish to consider encouraging States to significantly enhance their efforts to verify end-user certificates. They should develop an international framework for authentication, reconciliation and standardization of end-user certificates.

74. Systematic end-use verification is on paper an effective tool against the diversion of small arms. In practice, re-routed shipments of small arms continue to fuel conflicts around the world while pre-verification and end-use monitoring of legal transactions seems to remain uneven. The recent strong improvement in end-use verification and monitoring of man-portable air defence systems confirms that with political commitment effective systems for end-use verification are feasible. The lack of a framework for international cooperation on small arms end-use verification seems an impediment to consistent international action in this field.

Recommendation 12

The Peacebuilding Commission, the Office for Disarmament Affairs and the Special Representative of the Secretary-General for Children and Armed Conflict should increase cooperation on the nexus of children and small arms.

Recommendation 13

Parties in a position to do so should provide comprehensive assistance to States requesting such support.

75. Instruments such as the Programme of Action assume that States have the capacity to undertake comprehensive measures pertaining to the illicit trade in small arms. But often this is not the case, especially where there is little State legitimacy or where capacity is eroded by conflict, corruption and weak rule of law. Without comprehensive commitments from States in a position to provide technical and financial assistance, many of the above recommendations will prove impossible to fulfil.